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NEAR EAST/SOUTH ASIA REPORT

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CONTENTS

REGIONAL AFFAIRS

INTERNATIONAL AFFAIRS

- Decision on Continental Shelf Dispute Analyzed
(Marie-Francoise Labouz; MACHREB-MACHREK, No 101,
Jul-Sep 83)..... 1

ARAB AFRICA

EGYPT

- Contacts Reportedly Made With Syria To Further Rapprochement
(AL-YAMAMAH, No 770, 28 Sep 83)..... 22

LIBYA

- Projected South-to-North Water Pipeline Discussed
(AL-FAJR AL-JADID, 13 Sep 83)..... 26

TUNISIA

- Arab Investments, Projects in Tourism Detailed
(LA PRESSE DE TUNISIE, 17 Oct 83)..... 36
- Bizerte-Tunis Pipeline for Petroleum Projects
(LA PRESSE DE TUNISIE, 14 Oct 83)..... 38
- Joumine Dam Inauguration Will Help Solve Water Problems
(LA PRESSE DE TUNISIE, 12 Oct 83)..... 40

ARAB EAST/ISRAEL

ISRAEL

Reporter on Investments in Israeli Settlements (Yisra'el Tomer; YEDI'OT AHARONOT, 9 Nov 83).....	42
Briefs	
Valuable IDF Equipment Losses	46
GNP, Payments Balance Statistics	46
Spanish Procurement Delegation Visit	46
Tourism Agreement With Spain	47
Jewish Settlers in Territories	47

LEBANON

Israeli, Syrian Objectives, Negotiation Efforts Examined (As'ad Haydar; AL-MUSTAQBAL, No 342, 10 Sep 83).....	48
--	----

OMAN

Cooperation With West Germany Discussed (TIMES OF OMAN, 20 Oct 83).....	54
--	----

SOUTH ASIA

AFGHANISTAN

Soviet Embassy in Kabul Reportedly Attacked (THE STAR, 5 Oct 83).....	56
Soviet Journalist Reports on Tour of Afghanistan (Moscow World Service, 21-23 Oct 83).....	57
First Report	
Second Report	
Final Report	

IRAN

Superpowers Accused as 'Main Factors of Saddam's Crimes' (ETTELA'AT, 2 Oct 83).....	61
Copenhagen Embassy Provides Case Study of Anti-Exile Measures (Steffen Jensen; BERLINGSKE TIDENDE, 9 Oct 83).....	63

NEPAL

Briefs

King Accepts Credentials

68

PAKISTAN

Muslim-U.S. Military Relationship Examined

(Irshad Ahmad Haqqani; JANG, 10 Oct 83)..... 69

Khan of Qilat Discusses Political Situation in Baluchistan

(Aziz Bhatti; NAWA-I-WAQT, 1 Oct 83)..... 71

Intellectual Jaffri Discusses Libyan Subversive Activities

(Maqsud Jaffri Interview; CHATAN, 13-19 Sep 83)..... 73

DECISION ON CONTINENTAL SHELF DISPUTE ANALYZED

Paris MACHREB-MACHREK in French No 101, Jul-Sep 83 pp 46-65

[Article by Marie-Francoise Labouz, junior lecturer at the University of Paris-X Nanterre: "The Case of the Tunisian-Libyan Continental Shelf; The International Court of Justice Decision"]

[Text] We need hardly point out the significance of the decision returned on 24 February 1982 by the International Court of Justice in the case of the continental shelf between Tunisia and Libya.¹ The Court's contribution to the equitable delimitation of the seabed under national jurisdiction, the material solution of the dispute in which, for the first time, two Maghreb states were opposed in The Hague in the context of oil prospection in the Central Mediterranean, a half landlocked sea, are a matter for serious thought.²

We shall not give here an exhaustive review of the origins of the dispute; we shall just summarize its development which was marked by difficult bilateral negotiations from 1968 to 1976. The dispute on the dividing line of the continental shelf, the very existence of which was denied on several occasions by Libya, started when the first Tunisian permits for oil exploration in the Gulf of Gabes were granted to French companies. The dispute then followed closely the development of relations between the two states. As soon as he seized power in 1969, Colonel Qadhdhafi, who was planning a political union, suggested that the disputed shelf should be mined jointly, in whole or in part. The joint communique published in 1972 after his visit to Tunisia again mentioned the subject, this time stressing joint management.

After the projected union of the two states into an Islamic Arab Republic had failed (Djerba proclamation of 14 January 1974), the idea of a legal and international solution to the dispute gained ground. At the Third UN Conference on Maritime Law, Tunisia also advocated a more or less realistic system for the compulsory settlement of disputes, which was quite removed from the convention signed in 1982 (plurality of settlement procedures and freedom of choice of the parties). The March 1976 crisis, which started when a "Libyan plot" was discovered in Tunisia and resulted in the expulsion of diplomats on both sides, led H. Nouira's government to propose the creation of a joint commission which met in September to prepare the text of a legal compromise under which the dispute was submitted to the International Court of Justice. Certainly, pressures must have been exerted by permit-holding companies, as

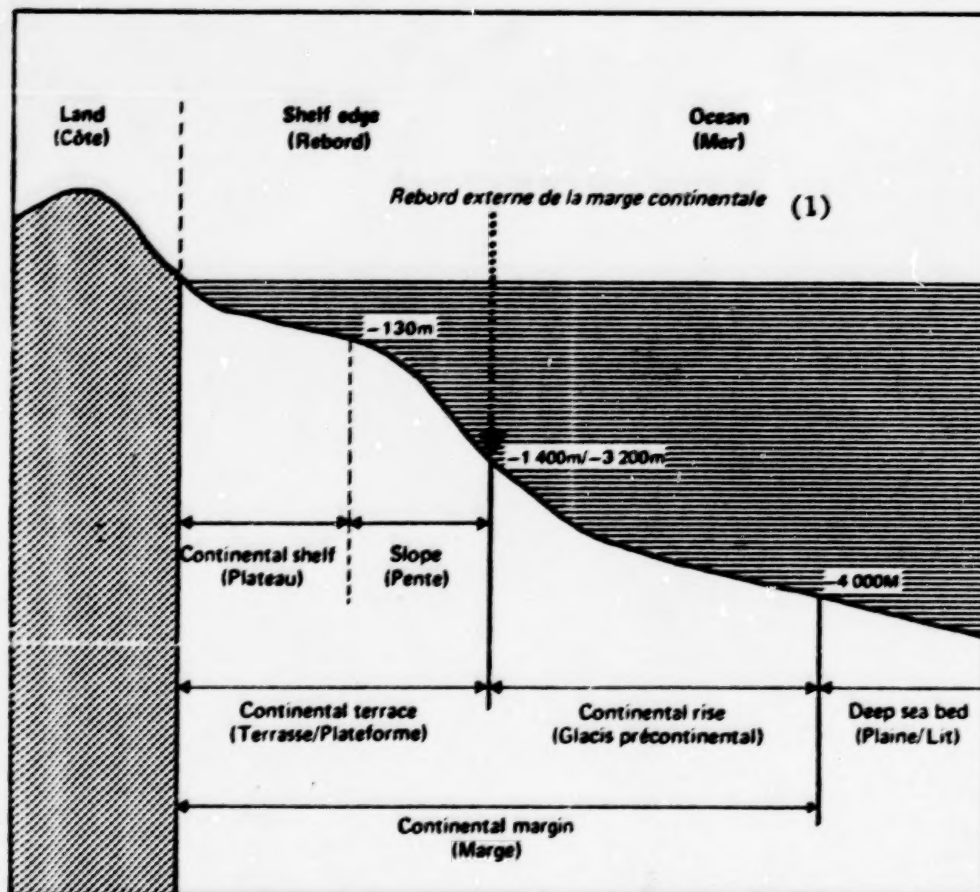
a new permit had been granted in the disputed zone in 1976. The joint communique of 25 August 1976 was essentially a political compromise: the matter was referred in principle to the International Court of Justice on the condition that negotiations on joint mining would be continued. This explains the difficulties in arriving at a legal compromise, which was signed on 10 June 1977 thanks to the good offices of the general secretary of the Arab League (see note 2 at the end).

The renewal of international maritime law and the relative technicality of the questions raised before the Court call for a few additional introductory remarks: concerning for instance the rejection of the request made by Malta to become a party to the dispute, as it was also involved in a continental shelf delimitation dispute with Libya; or the interpretation of the compromise under which the parties referred the matter to the Court; or the law applicable to the continental shelf, which is shaped by the competing interests of coastal states.

Malta's Untimely Move. Malta's diplomatic problems with Libya are well known.³ Quite understandably, the Maltese government took advantage of all legal avenues offered by the statute and rules of the International Court to get involved in the Tunisian-Libyan case, from which it had initially been excluded, and make its voice heard in The Hague.

Paradoxically, considering procedural rules, the Court's double refusal to communicate documents relevant to the case to states not involved in the dispute⁴ and to accept Malta's intervention⁵ did not prevent Malta from publishing its views far and wide. We shall not discuss here the conditions under which such a request could be accepted⁶; we shall just recall Malta's geographic location. The island lies on a seabed zone which is common to the three states. It lies approximately 184 nautical miles from the closest Libyan shore, and 155 nautical miles from the closest Tunisian shore. The Court, divided between its respect for the fact that international legal settlements are voluntary and its interpretation of the provisions of its statute that deal with third parties' requests to enter a dispute, acknowledged that Malta had a certain "interest" in the dispute which, the Court said, was not likely to be directly affected by the Court's decision in the Tunisian-Libyan case. There is no doubt that in doing so the Court's intention was to preserve its credibility with states that might refer a legal dispute to it under a "compromise," with limitations, at the time and under a procedure of their choice. It did so at the expense of the procedure under which a third party can enter a suit, a procedure which is rarely used and anyhow fulfills its function even before it is used. Malta managed to reap the rewards of its legal "activism." Libya, which for a long time had refused to submit its dispute with Malta to the Court, finally accepted to do so in July 1982.⁷

Interpretation of the Compromise. The International Court then had to interpret the legal compromise signed by Tunisia and Libya on 10 June 1977. The text, which came into force on 27 February 1978 and was notified to the Court on 25 November of that year, defines the competence of the Court.⁸ Faced with three versions of the text--the original in Arabic and the English and French translations--the Court, after coping with these difficulties, had to decide whether, as Tunisia asked,⁹ it would not only determine under what law the dispute should be settled, but also delimit each country's continental shelf and provide a map showing the dividing line.¹⁰



Key: 1. Outer edge of the continental margin.

Source: G. Appollis, "Maritime Borders in International Law," CNEXO [National Center for the Exploitation of the Oceans], 1979, No 7.

Based on the interpretation of the Arabic version of the compromise,¹¹ Libya claimed that the dividing line itself should be determined by national experts and denied the Court any right to enunciate figures that would provide coordinates for the dividing line. But the International High Court decided that the controversy was a minor one (paragraph 29). It could not prevent it from "deciding with precision," the implementation being the experts' responsibility.¹²

The Definition and the Defined. Although the concept of continental shelf refers to an expanse located beyond territorial waters and consisting of the seabed and the sea underground, many uncertainties still remain as to its definition and the laws that govern it. By crystallizing an international custom that was the result of deficiencies in the 1958 Geneva Convention,¹³ the International Court of Justice had seemed to resolve two connected problems in 1969, in the cases concerning the continental shelf of the North Sea: the problem of the determination of the continental shelves and that of their dividing lines, as the continental shelves were already coveted for their oil deposits.¹⁴

All or nearly all coastal states, the Court had decided in 1969, possess "inherent rights" on their continental shelves, i.e. on "a zone which is the physical extension of the territories of most maritime states."¹⁵ The 1969 decision, which was doomed to critical analysis by commentators,¹⁶ already pointed out the discrepancy between the physical phenomenon (the natural extension) and the legal concept (the continental shelf), which accounted for the continuous development of national maritime jurisdiction over the seabed.

As a result, the definition of the continental shelf adopted by the Third UN Conference on Maritime Law¹⁷ reflects the "ascendancy" of the states on the sea and the seabed, which is characteristic of legal trends in this field. Indeed, the decision was made to satisfy both the states endowed with a vast natural extension and those which nature has disadvantaged. The draft convention, then the convention signed in Jamaica on 10 December 1982¹⁸ now contain a broad interpretation of the natural extension of the land under the sea: "up to the outer edge of the continental margin."¹⁹ Besides, the definition given is an alternative. Indeed, the concept of continental shelf can also, in certain cases, refer to the seabed and the sea underground up to a distance of 200 nautical miles²⁰ from the coast, whenever the "outer edge" of the continental margin itself lies within that distance. In other words, the states here have agreed on a sort of minimum guaranteed continental shelf of 200 nautical miles.²¹ The letter of the text does not allow unfortunate coastal states deprived of any continental shelf to claim any "inherent rights" on the deep sea,²² but the concept of "exclusive economic zone" now also provides sovereignty over mineral resources of the seabed up to 200 miles from the shore.

The continental shelf dividing line offers no more satisfactory legal certainty than the continental shelf determination. In 1969, considering common law and the problem of coasts lying adjacent or opposite to each other, the International Court of Justice had used the concept of "natural extension" as a criterion in delimiting the continental shelf. Not without subtleties, the Court had then identified relations between the concept of natural extension, geological facts through which it manifests itself, and the final equity of the dividing line determined "to the largest possible extent" by geology rather

than by other methods lacking a general character, for instance equidistance. The Court had clarified its reasoning by pointing out that all "relevant circumstances" were thus being taken into account, and by stating the principle of non-encroachment upon the natural extension of each country's territory.²³ In its 1982 decision, the International Court did not fail to refer to its 1969 decision which it used as a point of reference and comparison (paragraph 43).

The Court was also careful to take note of the new formulation of the draft convention on maritime law. Article 83 does not go beyond the principle of delimitation "through agreement, according to international law as mentioned in article 38 of the statute of the International Court of Justice, so as to arrive at an equitable solution." The 1982 decision, therefore, notes that a specific delimitation criterion is lacking (paragraphs 49-50).²⁴ Now, the Tunisian-Libyan case is a good example of adjacent states having a "common natural extension," for which the geological continuity mentioned in the 1969 decision is a poor criterion for lateral delimitation. The Court took note of that fact (paragraphs 48-67) and drew consequences from it, all the more so as the French-British arbitration decision given in 1977 in the case of the continental shelf of the Iroise Sea²⁵ [West of the Finistere Coast] did not either provide any direct guidance in solving the concrete case submitted to it in the Tunisian-Libyan dispute.

The uncertainty concerning the practical delimitation method (the lack of a specific criterion), although there exists a general rule for an equitable delimitation, caused the International Court to mention briefly the principle of the 200-mile distance which, as we have seen, was successfully adopted in the new law of the sea. The Court did not dwell on it, for two reasons of unequal value, which it enunciated succinctly. The draft convention did not use the 200-mile distance as a delimitation criterion; the distance principle was not invoked by the parties as one of the "trends accepted" at the Third Conference on Maritime Law to which they referred in their compromise (end of paragraph 48). Thus, the International Court of Justice refrained from investigating the legal authority of the new text on the shelf and the zone --and some will blame it for that.²⁶ Certainly, these provisions were not in force then--and are still not in force today. But there is no doubt that some of them could crystallize an international custom. This is precisely the case of the exclusive economic zone which, both through its scope and through the laws that govern it, is very similar to the continental shelf.²⁷ There is not enough space to guarantee that all coastal states will receive the benefit of a 200-mile exclusive economic zone, but the principle of such a zone has undeniably become more general, as is evidenced by national laws. In this case, the court showed excessive formalism, as it did not even use that concept as a source for an interpretation principle.

Thus, by mentioning the existence of a "common natural extension" in this case, the Court had the opportunity to redefine the role of geology in an international lawsuit. The Court was then led to define a relation of proportionality which it considered to be the "touchstone" of a final and equitable delimitation. As a result, the practical delimitation method will be based on the calculation of a proportion materialized by several angles on a map where the dividing line is a jagged line.

The Judge and the Part Played by Geology

When it mentioned the existence of a natural extension common to the two states and part of a larger zone called the Pelagic block, the International Court pointed out that in this particular case the principle established in 1969 was inadequate (paragraphs 43-44-70). Although the parties invoked geology in their pleadings, the Court, lacking a practical delimitation method consecrated in international law, refused to see geology as a determining factor. But its reasoning may surprise unless we follow step by step the "logic behind the decision" which was invoked by the Court itself (paragraph 68) and is often somewhat obscure. Thus, the court did not hesitate to "reconsider" the part played by geology for various reasons (paragraphs 68-80), sometimes in different paragraphs, sometimes in the same paragraph, in fact ascribing several functions to geology, including that of a "circumstance characteristic of the region" (paragraph 68).

Rejection of Determinism

According to the Court, contrary to what Libya claimed geology alone does not provide a basis for an equitable delimitation (paragraph 39). The role of the International Court "consists in having recourse to geology only to the extent required to implement international law" (paragraph 61). Obviously, this extent is smaller when what is at stake is the dividing line between continental shelves belonging to a common natural extension, i.e. in the Tunisian-Libyan case.

Moreover, in this case the only point to consider is the present configuration of the seabed, in other words, the "geological results" (paragraphs 61-62-67). This reasoning reflects legal positivism and the fact that the Court will consider only one rule of law: the final equity of the dividing line (paragraphs 70 and 71). This rejection of geological determinism, which pervaded the Libyan theory,²⁸ is remarkable in many respects. The Court managed to handle the technical aspects of the subject and the modernity of the plate tectonics theory on which the experts' debate focussed (paragraph 52). But after agreeing to have recourse to geology it very precisely limited the role geology would play in the dispute submitted to the Court. Libya's case was an act of faith in deep-sea geology, that formidable challenge to time (millions of years) and space (the continental mass). For the reasons indicated, the Court remained insensitive to it. One of Tunisia's strongest arguments was based on geomorphologic facts made visible by bathymetric measurements.²⁹ The Court considerably reduced their import.

Geology, a Local Circumstance

However, the International Court had to follow the experts in having recourse to geology to qualify common submarine structures. Pressed by Libya to decide that "the North-African landmass" offered a "projection to the North" (paragraph 57), asked by Tunisia to acknowledge the "continuity of the Pelagic block with the East Tunisian territory" (paragraphs 58-62), the High Court did not see in these geologic arguments any delimitation criterion, but a circumstance characteristic of the region and which might or might not be relevant in finding an equitable solution.

Thus, geology does not have privileged relations with nature and the law.³⁰ According to the Court, it is a priori only a local circumstance among others, some of which are natural, some of which are legal. Besides, the Court also considered many other factors constituting circumstances characteristic of the region, and experienced great difficulties in determining whether they were relevant in arriving at a final and equitable solution.

Certainly, the Court's reasoning was subtle, far more so than in 1969. To begin with, the Court mentioned--as it had done in 1969 (paragraph 70)--that an equitable dividing line would involve an overall solution and a final result. In other words, equity would require the conjunction of several factors and, above all, it would proceed from these factors.³¹ As a result, the Court certainly used an artifice to select the local circumstances that it deemed relevant to a final and equitable solution that, by definition, did not exist yet. A meticulous identification and analysis (paragraph 80) of "all relevant circumstances characteristic of the region" enabled it to establish a proportionality relation which, it said, was the "touchstone of an equitable delimitation method" and a prerequisite for a geometric calculation yielding the most accurate "practical methods" asked for by the parties to the legal compromise, as interpreted by the Court.

The determination of a relation of proportionality thus required the Court to make a discretionary evaluation of circumstances characteristic of the region since, after weighing those it deemed relevant, it would also determine their respective effects in order to arrive at a weighted selection. We can measure the risks involved, as the reasoning loses in consistence what it gains in subtlety, although the solution arrived at in the dispute is not obviously open to contestation. Although it has given a legal decision, the Court is open to criticism insofar as the rule of equitable delimitation is inferred from a relation of proportionality which is questionable because it is based on facts to such a large extent.³² Thus, geology assumes several functions which indeed make it similar to variable geometry... It is one of the bases for legal title to the continental shelf, proof of the common natural extension, and finally a circumstance characteristic of the region, although lacking relevance with respect to the dividing line in question.

Determination of the Relation of Proportionality

Since not all circumstances characteristic of the region are relevant with respect to the "equitable dividing line," we should take a closer look at the exhaustive and critical list contained in the decision of 24 February 1982. Not without apparent contradictions, the International Court identified before sorting them out all ineffective local factors and relevant factors, among which, it said, it must also find the most relevant circumstance in establishing the relation of proportionality which the Court empirically opposed to the method of equidistance, a simple method but one whose effects, it was thought a priori, would introduce too great a distortion, and therefore would be unjust.³³

Irrelevant Circumstances Characteristic of the Region

Upon Examination, the International Court of Justice denied any legal relevance to geology as well as to local economy. It ignored the island of Djerba and failed to consider either its location or its importance. It also rejected two of the lateral maritime limits mentioned by the parties (a brief comment on this is given in notes 44 and 45, in the more general context of the "maritime border" question).

Geology

Of all manifestations of the "pelagic block," only the Tripolitan trench could be used as a boundary (paragraphs 66-80). But the High Court had the benefit of the geology lessons provided by experts throughout the proceedings. The "pelagic block," they said, has no more relief than the Dutch flatlands,³⁴ even though it is a sort of false flat whose least variation of altitude is faithfully revealed by bathymetric measurements. The phrases full of imagery used by scientists familiar with submarine landscapes could not deceive the International Court which stated that it would have recourse to geology only insofar as it would help the Court determine the applicable law (paragraph 61). As a result, neither the Zira and Zouera "ripple marks," nor even the Tripolitan "trench" which extends further at sea beyond Ras Tadjoura (paragraph 66) are significant enough in the Court's opinion to mark a distinction between two plateaux, i.e. a "discontinuity between the natural extension belonging to one party and that belonging to the other" (paragraph 80). This conclusion was in line with the continuity of the "pelagic block" to which the decision referred several times (paragraphs 67-68).

The Economy

The International Court briefly reviewed local economic factors: shortage of natural resources and vital interests of coastal fisheries for Tunisia; rich oil deposits revealed by the geological structure of the seabed for Libya. Then, without prejudice as to the existence of oil wells--although it considered these later on--the Court made an impartial assessment of these economic factors: they are, it said, "extrinsic, as they may vary and may at any time tip the scales unpredictably to one side or the other, depending on the good or bad fortunes of the countries involved" (paragraph 106).

The Island of Djerba

Libya claimed that the island of Djerba should be "omitted" in the list of circumstances relevant to the delimitation, in order to avoid "useless complications."³⁵ After some hesitation (paragraph 79), the International Court was careful to state it could not accept the principle of such an exclusion and immediately granted it invoking without naming them other considerations which "in the part of the zone to be delimited where the island of Djerba would have an effect... would counteract this effect" (paragraph 79 at the end).

However, the omission of the island of Djerba in the delimitation procedure is far from convincing.³⁶ This coastal configuration, which the Court for a

moment assimilated to a peninsula, was connected to the coast by a Roman road in ancient times. Although the island loses its specificity at low tide, other considerations might have justified taking Djerba into account (the fact that the coast turns north at this point; its considerable economic importance). Fixed fisheries on the uncovered shoals around the island are undeniably important for the local sedentary population which is rather numerous and now oriented toward tourism.

On the other hand, the Court considered as relevant to the delimitation other circumstances characteristic of the region, which are less heterogeneous than it would seem. The specific characteristic of the Tunisian-Libyan littoral, due to the configuration of part of the shore where small expanses of water are an encouragement to traditional fishing, has given rise to "historical" rights. These are essentially safeguarded by ancient lateral maritime delimitations that were established *de facto*. One of these limits even offered the advantage of inspiring the parties, although indirectly, until 1974, when they were issuing unilateral offshore drilling permits. Thus, the International Court of Justice privileged limits that protect both the traditional fisheries and the oil leases of the states. By taking these various local circumstances into account, it finally reconciled as well as could be expected geography, geology, economy and history, but outside the law.

Relevant Circumstances Characteristic of the Region

The International Court first circumscribed the sector of the Tunisian-Libyan littoral that offered noteworthy characteristics which, in the Court's opinion, could affect the final equity of the delimitation (paragraph 75). The International Court then proceeded with an unusual reasoning in which it took local Tunisian coastal fisheries into account not because of the "historical" rights by virtue of which they exist, but as factual data. We might go so far as to defend the legal orthodoxy of the decision when it eludes the question of the "opposability" of Tunisian fishing rights to third parties, but it seems more difficult to follow the Court in its empirical reasoning when it privileges one circumstance (a *de facto* maritime limit) before even considering the other (the "historical" rights) which it then decides to overlook. This form of reasoning by preterition* which is truly characteristic of the decision opens the High Court to criticism which it may well not escape: it may be said to have given in to the evidence of certain facts at the expense of the law according to which it must resolve the dispute, and therefore to have somewhat tipped the scales (paragraph 37) it used to calculate the ratio of relevant circumstances characteristic to the region.

Configuration of the Coast from Ras Kapoudia to Ras Tadjoura

As expected, the Court defined the littoral region to be considered in establishing the dividing line. This region is "circumscribed by the Tunisian shore from Ras Ajdir to Ras Kapoudia, the Libyan shore from Ras Ajdir to Ras Tadjoura, the Ras Kapoudia parallel and the Ras Tadjoura meridian" (paragraph 133B-1).

* Preterition is a rethorical figure "through which one pretends to overlook or touch only slightly on certain things which one nevertheless uses to back up one's theory."

According to Tunisia, the curve of the Gulf of Gabes³⁸ and the presence of large islands (Djerba, the Kerkennah Archipelago) near the coast where shoals form traditional fishing grounds made this sector the keystone in an equitable delimitation of the shelf, which is oriented to the east. For Libya, on the contrary, the dominant feature was the "projection to the north" of the continental mass, and the "anomalies" of the Tunisian coast could be overlooked in drawing a dividing line, as such a line could be equitable only if it reflected macrogeology.³⁹

The International Court gave a qualified answer to the parties' arguments. For instance, although the radical change of orientation in the Tunisian coast after the Gulf of Gabes is a relevant circumstance modifying the fact that the two states are adjacent, the two coasts are yet not opposite (paragraphs 78-126). Therefore, the Libyan theory of insignificant "anomalies" was rejected by the Court, but Tunisian arguments were received with reservation. The Court then examined the Kerkennah Archipelago which it used to some extent in drawing the dividing line. The Court acknowledged that the archipelago had a "semi-effect,"⁴⁰ following in that a proven legal delimitation method. In this case, the Court seemed to privilege the location of the Kerkennah islands (paragraph 128), while also referring to their expanse--much smaller than that of Djerba, which was not accepted as a relevant circumstance. Like the Scilly Islands in the Iroise Sea,⁴¹ the archipelago projected to the high sea (paragraph 128) by the uncovered shoal belt--9-27 km wide--would provide reference points for the delimitation, but the Court declined to give the archipelago an "excessive weight" (paragraph 128).

The Ras Ajdi Reference Point

The Court examined all maritime borders--whether of colonial origin or more recent--that could have an incidence now (fisheries and oil permits). After noting the lack of a maritime border (paragraph 82), the International Court started with the land border established in 1910 which, after decolonization, became the border between the two new states (paragraph 84). Lacking a maritime border, in their various attempts at drawing a dividing line at sea the two colonial administrations always took as "essential point of reference" (paragraph 85) the point on the coast where the land border ended.⁴² Therefore, the court considered one by one all the lines projected toward the sea from Ras Ajdir.

Such a reasoning might have led nowhere since obviously most of these maritime borders preexisted the legal concept of continental shelf. Indeed, as we saw above, the Court rejected two dividing lines as completely irrelevant. One was presented by Tunisia and dated back to colonial times;⁴³ the other, more recent, had been used in Libyan oil legislation.⁴⁴

However, the International Court did recognize some special merits to one of the old borders from colonial times. The dividing line established by Italy in 1919--although its specific object (fishing) did not make it any more relevant than others as a dividing line for the continental shelf, except for the fact that the species fished were sedentary--drew the attention of the Court as it followed approximately the present line of offshore oil permits determined unilaterally by the two states and without any overlapping until 1974. Such at least was the Court's argumentation.

The Italian Perpendicular Line

This line is mentioned in instructions issued in 1919 to provide a demarcation of sponge banks between Libya and Tunisia. Despite the silence and absence of protest from French authorities, the Court indicated that this was not a maritime border recognized by the two parties. However, this line had the advantage of respecting Tunisian fishing rights over a zone lying to the east of the line. Therefore, the Court felt that "the fact that a tacit *modus vivendi* was respected" authorized it to see that line as a historical justification in selecting a delimitation method (paragraphs 93-95-96-118).

The International Court did not dwell at length on its reasons for this preference, but we can hardly overlook the condensed conclusion it gave to its developments on previous attempts at drawing a lateral maritime dividing line: the "de facto" line between adjacent oil permits approximately coincided with the Italian perpendicular line of 1919, so that, in the Court's opinion, the permit line--which the Court had not yet considered--was "highly relevant" in establishing a dividing line (paragraph 96).

The Oil Permit Line

The oil permit line is oriented north-northeast along an angle of approximately 26° from the Ras Ajdir border point. The line is not the result of a single decision, quite to the contrary. It materialized progressively, as the two states granted offshore oil permits unilaterally. In addition, it would seem that the grid pattern of the area was done essentially by the oil companies which received the permits. In the Court's opinion, this is not the essential point. The relevant fact is that the zones do not overlap (paragraph 117). Lacking a true tacit agreement between Libya and Tunisia, the International Court pointed out again that an ancient *modus vivendi* has prevailed until 1974 which, in the Court's opinion, is of "considerable importance" (paragraphs 118-119).

Therefore, it would be inaccurate to say that in this respect the International Court had made a choice before declining to examine the question of Tunisia's historical rights. However, although it is true that the Court refused to consider the legal question of Tunisian fishing rights (their validity and opposability to Libya), it is obvious that it did consider this problem as a relevant circumstance insofar as, in fact, the zone of historical rights was not affected by the practical delimitation method later on enunciated by the Court (paragraphs 100-105).

Non-Encroachment on the Historical Right Zone

Generally speaking, the historical titles invoked by the parties include both rights exerted on waters that were considered as interior or territorial waters, especially bay waters (Gulf of Gabes and, outside the dividing line, Gulf of Sidra⁴⁵), and traditional fisheries, fixed or sedentary, on uncovered shoals or further at sea.⁴⁶

Although the Court did not receive all Tunisian arguments, far from it, its reasoning deserves attention. Tunisia's legal counsels⁴⁷ supported a nearly total unification of the laws governing the waters, the fisheries and the seabed, based on the sovereign right of the coastal state. The fisheries zone, which is of real concern to Tunisia, is only partially located outside the continental shelf. Fixed fisheries are located within territorial waters, but sedentary fisheries are one of the natural resources of the shelf that must be divided.

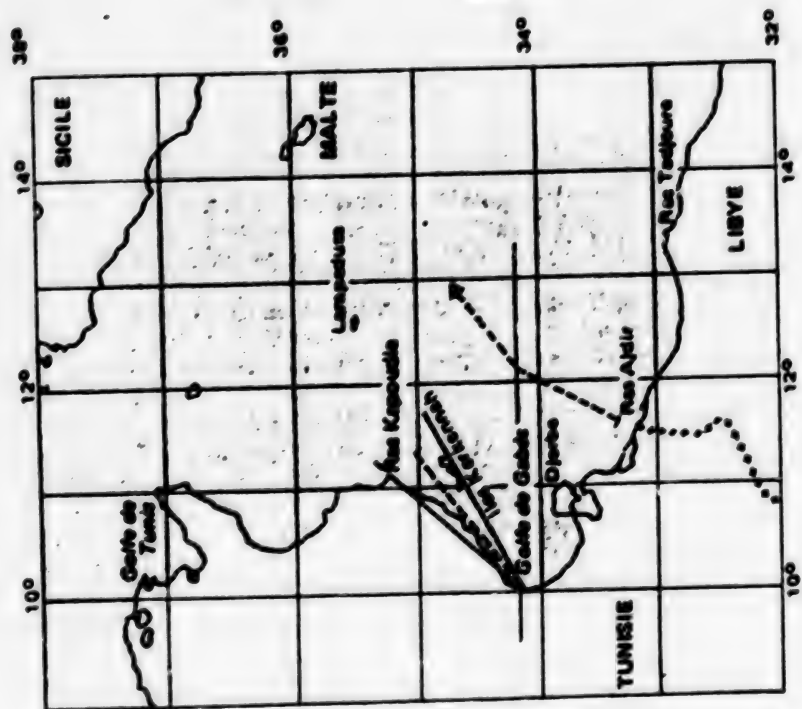
While declining, and rightly so, to legislate for the states in this question by unifying distinct sets of laws--although these may offer fortuitous similarities (paragraph 100)--the International Court was careful to justify its refusal to consider the validity of historical rights, especially those of Tunisia,⁴⁸ as well as that of basic rights.⁴⁹ But it did so through an empirical approach with which we may well disagree. Indeed, the Court referred through preterition to a practical delimitation method which it had not yet explained but which it did not hesitate to define summarily and peremptorily for the purpose in hand: the practical delimitation method adopted by the Court is "independent from the existence of these rights" (paragraph 105). The High Court explicated its position thus: "the dividing line beyond any doubt allows Tunisia to exert fully and without contestation said rights, whatever they may be, in the zone on which they are claimed, as long as they can be opposed to Libya" (paragraph 105).

Clearly, therefore, the International Court did not overlook the question of historical rights, in spite of what it would have us believe. The Court remained faithful to its empirical approach, but it had to use a certain artifice: argumentation by preterition. As long as it appraised sovereignly the relevant circumstances characteristic of the region, it could not without contradicting itself overlook the question of historical rights while privileging that of lateral limits respecting these very rights. Indeed, the Court expounded at length its method which was in accordance with the compromise and previous Court decisions: taking into account all relevant circumstances, some of which are only de facto circumstances (non-encroachment on the historical right zone through an appropriate dividing line "to be indicated later," paragraph 105).

Once the relation of proportionality was established to take into account certain circumstances characteristic of the region, the International Court had to make as precise as possible a calculation of the dividing line angulation.

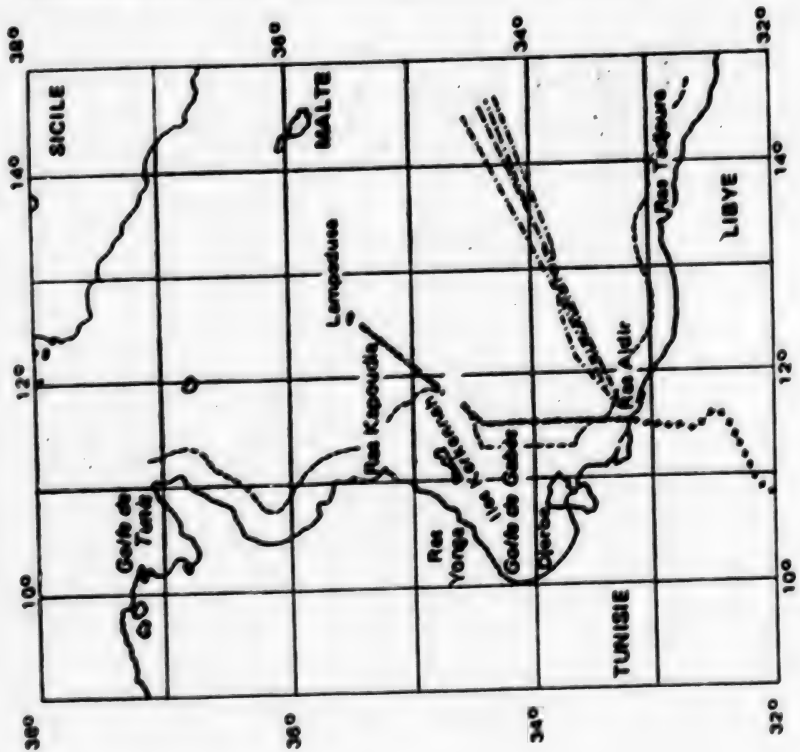
Determination of the Dividing Line

Certainly, this was the Court's most difficult task, the one most likely to lay the Court open to criticism. In short, the Court's subjectivism in this matter rested on an impressionistic and empirical definition of the final equity of the dividing line. Without any doubt, the Court affirmed the primacy of equity when it used the relation of proportionality as a "touchstone" for equity (paragraph 103). This is where the innovation lies, and the Court fully assumed the risk involved. It navigated boldly, "by dead reckoning" as sailors would say, in a narrow channel between two reefs: it could not redo what nature had done and erase the basic inequity in the two countries' situation (paragraph 79); but it had to give them weighted consideration to arrive at a final solution it judged equitable. Although the International Court did rule out any recourse to the



-----> Dividing line of the continental shelf

Map drawn for purely illustrative purposes without prejudice as to the role of experts, who will have to determine the line with accuracy.



----- Limit of territorial waters claimed by both parties

----- Lines resulting from the Libyan delimitation method

----- Lines resulting from the Tunisian delimitation methods

Source: Decision of the International Court of Justice, maps Nos 2 and 3

Tunisian-Libyan Continental Shelf (Court Decision

equidistance method, final equity is therefore not a state of mind, much less a single fact. Yet, the rule of law remains hard to identify, as it is merely the result of a prescription applicable in a particular case: the relation of proportionality. This is also why the International Court, far from setting itself up as an oracle, acted in this case as a marine surveyor. Aware of the difficulties of its undertaking, the Court further tempered its practical method: it took into consideration a reasonable relation of proportionality, chose a dual angulation, and finally gave the line the required stability by giving it the status of *res judicata* within the limits of the Court's interpretation of the compromise.

Reasonable Relation

As in the 1969 cases involving the continental shelf of the North Sea, the International Court compared the areas of the respective zones of the shelf and the shore lengths of both states in "the relevant part of the littoral measured according to the general shore orientation" (paragraphs 103, 133B-5 of the enacting terms of the decision) so as to use a "reasonable relation" and therefore one that is equitable.

Answering Tunisia, the Court stated that "the problem is not a problem of definition: it is a problem of proportionality considered as a facet of equity" (paragraph 104). Therefore, it would be possible to draw into the comparison zones which are not affected by the delimitation, as long as "the comparison involves comparable things."

Dual Angulation

The Court gave two practical delimitation methods corresponding to two segments of the common Tunisian-Libyan natural extension. The dividing line, therefore, is a jagged line following two orientations (paragraph 133C-1 of the enacting terms of the decision).

Near the Coast

At the start of the dividing line and beyond the outer limit of territorial waters where the continental shelf begins, the first sector follows a straight line drawn from Ras Ajdir at an angle of approximately 26° east of the meridian. The line corresponds to the limit of oil permits, most of which are Libyan. This sloping line crosses the 34th parallel to take into account the radical change of orientation of the Tunisian coast which the Court located at the westernmost point of the Gulf of Gabes (paragraph 124).

Further at Sea

The second delimitation sector is oriented according to a different angle which reflects the presence and orientation of the Kerkennah Archipelago. This line makes an angle of approximately 52° with the meridian (paragraph 129). It results from the implementation of the "semi-effect" method which consists in drawing "the dividing line toward the high sea, beyond the latitude of the westernmost point of the Gulf of Gabes... parallel to the line drawn from this point and bisecting the angle formed by the Tunisian shoreline (42°) and the line

following the shore of the Kerkennah Archipelago toward the high sea (62°)..." These data are shown on map No 3 of the Court decision, which also indicates that the line extends in an undetermined direction, as it will reach other continental shelves in the northeast (paragraph 133C-3). As is known, the dividing line between Malta and Libya was submitted to the International Court. As for the delimitation of the continental shelf between Italy and Tunisia, it was settled by an agreement signed on 20 August 1971.

Authority of the Dividing Line

The International Court emphasized the value of approximation of the angles of the lines drawn on map No 3, which were intended for the parties. Actually, the legal compromise invited the Court to "clarify practical methods that would enable experts to draw a dividing line without any difficulty." The Court indicated that the accurate calculation of the dividing line was the responsibility of national experts, the map being "enclosed for purely illustrative purposes and without prejudice as to the role of experts" (paragraph 129).

These reservations, however, should not mislead us. The dual angulation is mentioned again in the enacting terms of the decision, which are bidding for both parties, and this is in agreement with the interpretation of the compromise. For the Court, therefore, the experts of both parties will have a limited role: to advise the states so a delimitation agreement is signed; to help in drawing the actual line, in accordance with the Court's indications, even though the graphic illustration attached to the decision refers more to proportions than to absolute figures (paragraph 130). In other words, the dual angulation selected by the International Court, i.e. the general orientation of the jagged dividing line, is not merely a guideline. The parties and their experts will have to follow it within one degree. As a result, new dividing lines cannot be negotiated in order to defeat the Court's decision once it has been delivered. This is why negotiations on a delimitation agreement--the expression is also poorly chosen--have a "limited and technical" character (paragraph 108).

By providing the states with what it believed to be in this case practical delimitation methods for their continental shelf, the International Court of Justice contributed to the peaceful settlement of a legal dispute that threatened to degenerate into a violent confrontation, because of the oil deposits at stake and the well-known political rivalries between the two countries. This result alone is far from negligible. After the initial disappointment or satisfaction which parties always experience when a ruling is made,⁵⁰ there remains here the renewed although qualified confidence in the international legal institution, as is evidenced by the notification of the Maltese-Libyan compromise to the clerk of the Court's office. Of course, we may well wonder whether the Court remained faithful to its mission and to the compromise that was submitted to it. The ins and outs of the decision of 25 February 1982 are certainly not of a nature to restore the credibility and relative favor which the Court may have enjoyed at a time with Third World countries, especially as they failed to be restored as a result of the Third UN Conference on the Law of the Sea. Actually, when it comes to settling disputes involving the seabed, the 1982 Convention privileges the International Court of Maritime Law which it created (Section 5 of Part XI, Part XV and Appendix VI). Yet, it would be excessive to

say that the Court decision and this unfavorable environment would lead to the relegation of the Court as "being outlawed." On this point at least, the International Court of Justice was fully aware that it could not substitute itself to the states to perfect the applicable rule of law. Paradoxically and probably for some time to come, the Court emerges reinforced from this new test. It could then easily overcome the strong reservations expressed here with respect to its reasoning and the dangers this reasoning involves, all the more so as the solution given to the Tunisian-Libyan dispute fits in with the statu quo ante: a nice revenge on commentators, these "spectators" of international law.⁵¹

December 1982

NOTES

1. Continental Shelf (Tunisia/Libyan Arab Jamahiriya), Decision, 1982 Compendium, p 18. The decision was rendered by a majority of 10 against 4, including the "ad hoc" judge appointed by Tunisia, E. Evensen. The "ad hoc" judge appointed by Libya, E. Jimenez de Arechaga, voted with the majority. Included with the decision are three individual opinions (those of Messrs Ago and Schwebel, judges, and Jimenez de Arechaga, ad hoc judge) and three dissenting opinions (those of Messrs Gros and Oda, judges, and Evensen, ad hoc judge).
2. TOTAL-INFORMATION 1982, No 91, p 8. The deposits at stake for both Maghreb countries are exploitable deposits that are easily accessible because they are located in shallow water; deep sea drilling is taking place elsewhere in the Central Mediterranean (off Marseilles, 1,714 m), LE MONDE, 1 January 1982. See A. Fresia, "Legal Aspects of Oil and Gas Deposit Development in the Mediterranean," in "Le Pétrole et la Mer," PUF [French University Press], 1976, 358 pp (69-108); Madjid Benchikh, "The Mediterranean, a Semi-Landlocked Sea," REVUE GENERALE DE DROIT INTERNATIONAL PUBLIC (RGDIP), 1980, pp 284-297; Fadhel Moussa, "La Tunisie et le droit de la mer" [Tunisia and Maritime Law] Tunis Faculty of Law (Studies, Research and Publication Center, Series Law and Economy, Vol 17), Tunis, Official Printing House, 1981, 144 pp (46-73) on the origins of the dispute.
3. Concerning the incident which occurred on 20 August 1980 in connection with oil drilling on the continental shelf, RGDIP 1981 pp 186-187. Malta filed a complaint with the UN Security Council on 1 September 1980. Part of Malta's official correspondence with Libya, from April 1973 to May 1980, is reproduced in English in Malta's bilingual "White Book" published on 8 September 1980: "Official Documents about the Malta/Libya Dispute on the Dividing Line of the Continental Shelf."
4. Other states involved in similar disputes (the United States and Canada in the Gulf of Maine) asked to receive communication of the documents, but in vain. These two states have also notified the clerk of the Court's office of a compromise arrived at in 1979. The question of the delimitation of the maritime border in the Gulf of Maine is before the Chamber of the Court, the first one to be created by official order on 20 January 1982: E. Zoller,

"Creation of a First Special Chamber by the International Court of Justice," in RGDIP 1982 pp 305-325, and G. Guyomar, "Annuaire français de droit international (AFDI)" [French Yearbook of International Law] 1981, p 212.

5. Malta's request was received by the clerk of the Court's office on 30 January 1981 and rejected by the Court on 14 April 1981: Continental Shelf (Tunisia/Libyan Arab Jamahiriya), request to enter a dispute as a third party, decision, 1981 Compendium, p 3.
6. Article 62 of the International Court of Justice statute provides that: "1. When a state believes that it has a legal interest in a dispute, it may file a request to enter the dispute as a third party. 2. The Court shall decide." Article 81, paragraph 1, of the International Court of Justice regulations indicates that the request must be filed before the completion of the written procedure. On the problems encountered in interpreting and applying these texts, see E. Decaux, "The International Court of Justice Decision in the Case of the Continental Shelf Between Tunisia and Libya (Decision of 14 April 1981)," in AFDI 1981 pp 177-202.
7. Article 6 of the compromise signed by Malta and Libya on 23 May 1976 required that both parties notify the clerk of the International Court's office (English text in the Maltese "White Book," op. cit. pp 44-45). The dispute was referred to the Court on 26 July 1982.
8. On the origins of the Tunisian-Libyan dispute and for a presentation of the Tunisian case, see: Fadhel Moussa, "La Tunisie et le droit de la mer," Tunis Faculty of Law, 1981 pp 59-73.
9. Pleading quoted by the Court, Compendium, page 39, paragraph 27.
10. Article 1 of the Tunisian-Libyan compromise was worded as follows: "The Court is requested to rule in the following case. What are the principles and rules of international law that could be applied to delimit the continental shelf zone belonging to the Republic of Tunisia and the continental shelf zone belonging to the Socialist People's Libyan Arab Jamahiriya; and, in its ruling, to take into account equitable principles and relevant circumstances characteristic of the region, as well as recent trends accepted at the Third Conference on the Law of the Sea. The Court is also requested to clarify with precision the practical method by which said principles and rules should be applied in this particular case, so that experts from both countries are in a position to delimit said zones without any difficulties (page 10). Such a compromise is "halfway" between the 1969 compromise in the cases involving the North Sea continental shelf and the 1977 compromise in the French-British arbitration on the Iroise Sea, J.P. Queneudec, "Memorandum on the International Court of Justice Decision Concerning the Delimitation of the Continental Shelf between Tunisia and Libya," in AFDI 1981, pp 203-212.
11. Pleading, Report 81/16 pp 38 and ff and 81/22 pp 36-37.
12. The International Court of Justice will be blamed for not rejecting more clearly the Libyan theory by reminding that it does not offer advice to

states but renders decisions that are binding for both parties; dissident opinion of Judge Gros, Compendium pp 145 and ff.

13. The convention on the continental shelf dated 29 April 1958, which came into force on 10 June 1963 accepted the criteria of depth and exploitability. The Maghreb states are not parties to the convention.
14. Decision of 20 February 1969, 1969 Compendium pp 1 and ff.
15. The 1969 formula (paragraph 19) is that of inherent rights owned "ipso facto and ab initio" for the exclusive purposes of developing and prospecting the natural resources of the continental shelf. A similar expression-- "ipso jure"--was used in the case of the continental shelf of the Aegean Sea, in which the Court declared itself incompetent in its decision of 11 December 1978; 1978 Compendium, p 36 paragraph 86.
16. There is an abundance of legal literature on the North Sea decision; see among others: K. Marek, "The Problem of the Origins of International Law and the Decision on the North Sea Continental Shelf," in REVUE BELGE DE DROIT INTERNATIONAL 1970, I, pp 45-78.
17. The text available in French is now the text of the convention: AL/CONF 62/122 of 7 October 1982, also published by French Documentation (NED 4703-4704, January 1983, with an introduction by P.M. Eisemann).
18. The text adopted by the Conference on 30 April 1982 in New York, by a majority of 130 against 4 and 17 abstentions, was signed by 118 states in Montego-Bay (Jamaica). As of December 1982, the United States, the United Kingdom, Japan and Libya were among the 22 states which declined to sign the convention.
19. See enclosed graph.
20. One nautical mile measures 1,852 m.
21. See article 76 of the 1982 convention. The outer limit cannot lie more than 350 miles from the base lines, nor more than 100 nautical miles from the 2,500-m isobath (the line connecting all points at a depth of 2,500 m). Beyond the 200-mile zone, taxes must be paid (article 82). Beyond the 200-mile zone, the Commission on continental shelf limits has only a power of recommendation (article 76 and appendix 2).
22. On all these questions, see: R.J. Dupuy, "L'Océan partage" [The Shared Ocean], Pedone, 1979, 287 pp (104-112); L. Caflish, "Maritime Zones Under National Jurisdiction, Their Limits and Delimitation," in RGDIP, 1980, pp 93-103; G. Apollis, "Maritime Borders in International Law," CNEO REPORTS No 7, 1979, 156 pp (pp 53 and ff); L. Lucchini and M. Voelckel, "Les Etats et la mer, le nationalisme maritime" [States and the Sea, Maritime Nationalism], NED 4451-4452 (1978), 463 pp (352 and ff).

23. For a study of article 6 of the Geneva Convention (equidistance, special circumstances), see Jack Lang, "Le Plateau Continental de la mer du Nord" [The Continental Shelf of the North Sea], General Law and Jurisprudence Publishing House, 1970, pp 63-121; G. Apollis, op. cit., pp 91-101; C. Vallee, "Le Plateau continental dans le droit positif actuel" [The Continental Shelf in Modern Substantive Law], Pedone 1971, 359 pp (264-273).
24. Article 38 of the International Court of Justice statute lists the sources of the law applicable by the Court in the disputes submitted to it; in order: international conventions, international common law, general legal principles, and finally legal decisions and the doctrine of the most qualified legal writers as auxiliary means... On the other hand, the agreement of the parties to the dispute is required for a judgment "ex aequo et bono," which is not based on law.
25. French Documentation, September 1977, not part of a series; see J.P. Queneudec, "The Case of the Delimitation of the Continental Shelf Between France and the United Kingdom," in RGDIP 1979, pp 53-103; E. Zoller, "The Case of the Iroise Sea," in AFDI 1977, pp 359-407 (and note pp 1293-1303); D.A. Colson, "The United Kingdom-France Continental Shelf Arbitration," in AMERICAN JOURNAL OF INTERNATIONAL LAW 1978, pp 95-112.
26. Individual opinion of Judge Jimenez de Arechaga, Compendium p 115 paragraph 54; dissident opinion of Judge Oda, p 229 paragraph 120; dissident opinion of Judge Evenson, pp 282 and ff (287 paragraph 9).
27. To-date, close to 90 maritime states have established economic zones extending 200 nautical miles from the coast whenever space permitted. This is not the case in the Tunisian-Libyan case; however, Morocco did establish a 200-mile exclusive economic zone along its shores (Dahir No 1-81 dated 8 April 1981, BORM 3575 dated 6 May 1981, pp 232-233).
28. Pleading, report 81/16 pp 6-45, 81/20 p 5 on the "Northward Thrust."
29. Pleading, report 81/13 pp 23 and ff.
30. On this problem see for instance: A. Reynaud, "La volonte, la nature et le droit, les differends du PC de la mer du Nord devant la CIJ" [Will, Nature and Law; North Sea Continental Shelf Disputes Before the International Court of Justice], General Law and Jurisprudence Publishing House, 1975, 245 pp (121-132).
31. There has been an abundance of studies since the 1969 decision; see, among others, in addition to the comments already mentioned: C. de Visscher, "De l'equite dans le reglement arbitral ou judiciaire des litiges de droit international public" [On Equity in Legal or Arbitration Settlements of Public International Legal Disputes], Pedone 1972, 118 pp (3-26); O. Pirotte, "The Concept of Equity in Recent International Court of Justice Jurisprudence," in RGDIP 1973, pp 92-135; M.D. Blecher, "Equitable Delimitation of Continental Shelf," in AMERICAN JOURNAL OF INTERNATIONAL LAW 1979, pp 60-88; P. Reuter, "A Few Reflections on Equity in International Law," in REVUE BELGE DE DROIT INTERNATIONAL 1980, pp 165-186.

32. According to minority Judge A. Gros (Compendium, pp 151-156 paragraphs 15-24), equity as understood by the Court in 1982, when it raised proportionality to the status of a delimitation method, is no longer the result of a judgment based on law but that of an "amicable conciliation" in which "equalization of interests" must be achieved at all costs, in spite of the facts; *ibidem*, dissident opinions from S. Oda, p 156 (paragraph 1) and Evensen, pp 291 and ff (paragraph 14) (the Court also denied that it had rendered a decision "ex aequo et bono" paragraph 71).
33. Individual opinion of Jimenez de Arechaga, Compendium pp 134-135 (paragraphs 108-109). On the contrary, minority Judge S. Oda was of the opinion that the Court ought to invoke abnormal circumstances to disregard the equidistance line, p 261 paragraph 166; *ibidem*, J. Evensen, pp 292 and ff (citing the 1977 arbitration sentence in which equidistance was at least taken as a starting point that had to be improved on). On this point, see also E. Zoller's stimulating criticism, "Research on Continental Shelf Delimitation Methods in Connection with the Tunisian-Libyan Case (Decision of 24 February 1982)," in RGDIP 1982, pp 645-678 (pp 668 and ff).
34. Pleading, report 81/21, pp 45 and ff, 81/22, pp 54 and ff, 66.
35. Pleading quoted by the Court, Compendium p 63 paragraph 79.
36. See dissident opinion of Judge Evensen, pp 296 and ff.
37. The decision itself mentions the precise weighing of all relevant circumstances; for instance paragraph 71, p 60.
38. The curve is a concave or inland curve.
39. Pleading, report 81/22, p 67.
40. On the "semi-effect" method applied to the Sorlingues Islands (Scilly Islands) in the case of the Iroise Sea continental shelf, see J.P. Queneudec, *op. cit.* pp 93 and ff. In the Tunisian-Libyan case, this method was criticized by minority Judge Evensen, pp 303 and ff (paragraphs 19 and ff).
41. Paragraph 244 of the arbitration sentence of 30 June 1977.
42. In this case, it seems difficult to invoke the so-called principle of "Uti possidetis juris" (and the International Court of Justice did not invoke it), which would ensure that the new states would retain the territorial borders determined by colonial powers: on the nature and controversial application of this principle in international law, see D. Bardonnet, "Equity and Land Borders," in "Melanges Paul Reuter" [Paul Reuter's Miscellanies], Pedone 1981, pp 35-74.
43. Tunisia tried to present a lateral delimitation line dating back to colonial times, the so-called "ZV 45° Northeast" (Vertical Zenith) line, mentioned in various instructions and expressly consecrated by a 1955 decree. The Court noted that Tunisian fishing rights are exerted within a zone that

is determined in part by that line (paragraph 102) which is not opposable to Libya in delimiting the continental shelves.

44. The North Libyan line is based on oil laws published after 1955. Its specific objective, and above all the lack of any Tunisian agreement, were the grounds for its rejection by the Court (paragraph 92).
45. On the Libyan proclamation of 10 October 1973 which made the Gulf of Sidra a "historical bay," see RGDIP 1974, pp 1177-1179. After the aircraft incident of 19 August 1981 between the United States and Libya, President Reagan reaffirmed the U.S. opposition to the closing of these "international waters," RGDIP 1982, pp 145-147.
46. Fixed fisheries cover the coastal fishing of species which move in shallow waters, using devices attached to the sea bottom. Sedentary fisheries cover species that are attached to the sea bottom (e.g. sponges) but in deep water.
47. Pleading, report 81/9 pp 61 and ff. On the problem of unification of deep-sea and surface maritime borders, see G. Apollis, CNEXO Report already mentioned, pp 52-54, and "L'emprise maritime de l'Etat cotier" [The Coastal State's Ascendancy at Sea], 1981 Pedone, 299 pp (174-179); the question of the absorption of the continental shelf by the exclusive economic zone is considered in separate opinions, as is the question of the alignment of the law applicable to the exclusive economic zone on that applicable to the continental shelf: Oda's dissident opinion, p 233.
48. On historical rights, see the opinions of Jimenez de Arechaga, pp 123 and ff (paragraphs 80-84), p 130 (paragraph 99) and Oda, pp 197 and ff (paragraphs 65 and ff). For a discussion of these titles in law, see also G. Apollis, CNEXO Report pp 78 and ff.
49. On the extension of Tunisian maritime jurisdiction, see M.F. Labouz, "Problems of Maritime Law in the Maghreb," in MAGHREB-MACHREK No 64, July-August 1974, pp 47-54; and Fadhel Moussa, op. cit., pp 35 and ff.
50. It can hardly be denied that Libyan oil weighed appreciably more than Tunisian sponges (see LE MONDE dated 26 February 1982). Note that article 3 of the Tunisian-Libyan compromise provided that after a three months' period renewable by mutual agreement the parties could ask the Court for a clarification if they failed to agree on the implementation of the delimitation. Available information to-date tends to indicate that the dispute is about to be settled.
51. For a strict and rigorous evaluation of the International Court of Justice's reasoning, see E. Zoller's commentary, op. cit., pp 464-664. However, we do not fully subscribe to the author's disillusioned judgment on the understanding and exercise of the international legal function. See also E. Decaux' commentary on the decision of 25 February 1982, to be published in AFDI 1982.

EGYPT

CONTACTS REPORTEDLY MADE WITH SYRIA TO FURTHER RAPPROCHEMENT

Riyadh AL-YAMAMAH in Arabic No 770, 28 Sep 83 pp 36-37

[Article: "Syrian-Egyptian Rapprochement: Will Bucharest Restore what Camp David Ruined?"]

[Text] In the previous issue of AL-YAMAMAH (on the Political Secrets page) we quoted a source close to the Egyptian Foreign Ministry denying rumors about a meeting between Usamah al-Baz, the director of President Mubarak's Political Affairs Office, and a prominent Syrian official in the Belgian capital. However, the source himself admitted that there were indirect contacts between the two countries. New information acquired by AL-YAMAMAH from reliable sources in Cairo confirms that contacts between Cairo and Damascus are official and direct, and that the two sides wish to surround these contacts with complete secrecy. The sources tell the story of new developments beginning with President Mubarak's assumption of power in Egypt after al-Sadat's assassination on 6 October 1981, when the new president found himself facing a burdensome inheritance at home and abroad left by his predecessor. His concerns over the possibility of a triumph for the religious movement and its control over political events kept him from sleeping. He also had doubts about the alliance imposed on him by the U.S. and the intentions of the Zionist enemy who had placed its army in a state of alert. The Begin-Sharon-Shamir triumvirate was insinuating that the peace agreement with Egypt was fragile and that President Mubarak might break it, creating a new state of war between the two sides. In addition, President Mubarak strongly desired Egypt's return to its natural place within the Arab fold and he realized that this was a great wish of the people inside his country. He presided over three meetings of senior advisors with the goal of discussing a study he had ordered prepared at the highest levels concerning the possibility of Egypt's return and the appropriate means of achieving this.

The outward result at that time was to move toward strengthening relations with Baghdad and, implicitly, Amman because of the Jordanian position on the Gulf war, with the hope that Baghdad would be the door through which Egypt would return to Arab ranks. In addition, Egypt views Khomeini's Iran, and this view has

continued from al-Sadat's time until now, as a force that threatens the stability of the Gulf region and, thus, the Red Sea, the right flank of Egypt's national security. Besides this, "al-Nabawi Isma'il" was insisting that the religious movement devoted to violence in Egypt had strong and direct ties to Tehran.

Despite this, providing Iraq with ammunition, materiel and volunteers was not enough to achieve the goal. The fact that there was no decisive military victory for Iraq in the Iraq-Iran war contributed to this result, as did the many existing divisions among the Arabs. Egypt's return under such circumstances could have deepened these differences, especially since it would have appeared to have strengthened the Iraqi axis in the Iraq-Syria dispute more than it would have strengthened the bases of Arab solidarity.

The Egyptian president responded to the advice of one of his most important advisors and limited the flow of media discussion about relations with Iraq. He began to seriously restudy the situation from the beginning and those around him were surprised when he said that he had not despaired of contacts with Syria. Their surprise was overwhelming, since Damascus' rhetoric was the most violent of any Arab capital against Egyptian policy since Camp David. In fact, Syria's government controlled media received the Mubarak administration with the same harshness it used with his predecessor. Two of Mubarak's confidants were aware of an extremely important message that he had sent to President al-Asad explaining his situation in Egypt and the necessity of burying the past and working together for the sake of higher Arab interests. Mubarak also included with the message an appeal to the personal memories shared between him and the Syrian president. The two men had met as fighter pilots at the Anshas Airbase during the Egyptian-Syrian unity of 1958-1961. The Syrian president's response was negative, in the opinion of Egyptian officials, since he stipulated that Camp David be abrogated before relations could be restored with Cairo.

The surprise of Egyptian policy makers dissipated when Mubarak pointed out to them the preliminary indications of a change in the Syrian position as a result of unannounced mediation undertaken by Romanian President Nicolae Ceausescu. Bucharest informed the Egyptians that its secret envoys to Damascus had sensed a new tone when talking about President Mubarak and they attributed this to several factors, including the following:

- 1) Mubarak had done the most he could do, given current Egyptian circumstances, vis-a-vis the Zionist invasion of Lebanon.
- 2) Moscow abandoned Syria on the eve of the Israeli invasion of Lebanon. This made the Syrian position difficult.

3) Egypt refused to enter into an alliance that would weaken the position of Syria although the door was open to Cairo and there was still no Romanian mediated breakthrough.

4) Despite Syrian press criticism of the Mubarak administration and no Egyptian media response to this, Cairo, according to unofficial information, helped Damascus to discover the identities of members of a dangerous Syrian political organization that seeks to overthrow the regime of President Hafiz al-Asad. Being careful to avoid rumors, this indicates the sensitivity of both countries to the danger of two movements that have similar features: armed religious groups and radical leftist forces.

5) Despite the delicacy of Egypt's relations with the Zionist enemy (according to the Camp agreements) on the one hand, and with the U.S. on the other hand, Egypt has been sympathetic to some of the legitimate Syrian demands concerning security in the Lebanese situation. Syria has learned through a number of channels that Cairo exerted intense diplomatic efforts to convince Washington to change aspects of its policy in the region so that it can succeed. These policy changes included not ignoring the Golan and the legitimate rights of the Palestinian people and not imposing a solution on Lebanon that substantially affects Syrian national security.

6) Egypt refrained from interfering in the Palestinian conflict within Fatah as well as the Fatah-Syria conflict.

The second phase is represented by the success of the Romanian mediation in arranging a meeting in Bucharest between Usamah al-Baz, one of the most prominent advisors to President Mubarak, and Faruq al-Shar', Syrian minister of state for foreign affairs. Also, work is continuing to bring Kamal Hassan 'Ali and 'Abd-al-Halim Khaddam together in the Romanian capital after eliminating bilateral obstacles that could not be eliminated in the context of the al-Baz-al-Shar' meeting because of their [limited] authority.

The Soviets had advance knowledge of the Romanian initiative and expressed their support for it and readiness to push for its success if a Damascus-Cairo reconciliation coincided with a complete restoration of diplomatic relations between Egypt and the Soviet Union. This is currently being seriously studied in Cairo.

Observers are optimistic about Egypt's return to the Arab fold, based on the previous information and taking into consideration current quiet Arab mediation to bridge the gap between Damascus and Baghdad. Signs of success in this mediation appeared after the news came out of a secret meeting last summer in Moscow between Iraqi Foreign Minister Tariq 'Aziz and 'Abd-al-Halim Khaddam. Neither of the two capitals denied this news.

Finally, we present the western opinion of a senior British diplomat, though we have serious reservations about it. He says that both Husni Mubarak and Hafiz al-Asad have private motives for restoring relations in addition to the shared motives. Syria has become more realistic, in his words, since it continues to covet a leadership role in the area historically referred to as "Greater Syria" and it no longer finds it useful to consider taking Egypt's place as the leader in the Arab world. This is based on the fact that Arab concerns have become focused on the Gulf, and the consideration that regional cooperation within an Arab framework has begun to impose itself as a practical alternative to the slogans of comprehensive Arab unity that have never been put into practice. The Gulf Cooperation Council experiment has succeeded. In North Africa there is movement toward a similar goal. An integrated relationship has been achieved between Egypt and Sudan. President al-Asad, in the mind of the old British diplomat, is leaning toward the belief that complete domestic stability is dependent to a large degree on foreign stability. Syria is moving away from uncalculated risks, whether on the political level (in terms of strained relations with Arab neighbors) or the military level (such as a war on unequal footing with the Israeli enemy).

However, Mubarak's motives, according to the same British diplomat, have to do with his desire to make a unique mark for his administration at home. However, the Sadatist powers still enjoy significant influence, making it difficult for him to confront them now. These are malicious powers ready for the fiercest confrontation possible to defend their gains. Mubarak is unable, because of their presence, to build direct and effective contact with the masses, giving him the support he needs to clean out the remaining pockets of the previous administration. Therefore, Mubarak believes that Egypt's return to the Arab fold would give him tremendous moral support and would confirm his credibility and independence. This would make most of the political powers and other segments of Egyptian society stand strongly beside him for the expected battle.

Aside from the motives of al-Asad and Mubarak, we sense from every citizen here a deep belief in the necessity of rebuilding Arab solidarity as it existed in its most glorious form on the eve of the 1973 war. Also, we are convinced that the Arab citizenry of Syria, Iraq, the Gulf and North Africa have the same belief and the same enthusiasm.

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PROJECTED SOUTH-TO-NORTH WATER PIPELINE DISCUSSED

Tripoli AL-FAJR AL-JADID in Arabic 13 Sep 83 pp 2, 3

[Text] The leader [al-Qadhdhafi] said that this river [water pipeline] will flow from al-Kufrah, Sarir and Tazirbu areas in the south and from the lakes under this area and immediately south, and perhaps west, of this area.

The leader added: I will trace the broad lines that illustrate this enormous project and then a number of engineers who have followed studies on the project will explain the details. The General People's Committee will also explain the details pertaining to the project.

The leader pointed out that the project is explained in the drawing on the demonstration map, which makes it easy to understand and visualize, even for those who cannot read or write.

He pointed out that the project has been our dream for a long time. This dream was present even before the revolution. It will be possible one day to realize the miracle of carrying the water lying under the desert, which is not fit for cultivating, to other Libyan lands where we can make life and progress. After these many years, the dream has come closer to reality. The base of this project is in the southern part of the Jamahiriyah, especially the area where we are now and from which this river will gush forth. These areas are not cultivable because their soil is sandy, poor in the nutrients needed for agriculture.

The leader pointed out that the area of al-Kufrah, Tazirbu and Sarir, located in the southeast, is poorer than the southwestern area and that the Murzuq basin and the area around it contain cultivable lands. This area is covered by great sand seas as far as al-Jaghbub, which makes the area uncultivable. But vast water resources exist under these sands.

Capable of Implementing Project

But the cost of utilizing the water is exorbitant, and it is not easy for a poor country to undertake such a project, even if the presence of water is proven, because the costs are high.

He said: We believe that we are capable of this undertaking now. In recent years, this idea crystallized and various studies were carried out concerning it, beginning with the studies on al-Kufrah project and the project outside al-Kufrah and Sarir. These studies resulted in the present al-Kufrah production project, al-Kufrah resettlement project and al-Sarir production project. All these projects, which began in the years since the revolution, stem from serious studies on this area that have drawn attention to the water under its sands.

The leader pointed out that it had been impossible to set up an agricultural project in al-Kufrah because of the poor soil and that the [existing] production project has cost a lot because the soil has been reconstituted with elements brought from abroad. The basic elements are probably still brought from abroad so that this project can continue. He also pointed out that the cultivation of such an area requires new soil and that this is what has happened in al-Kufrah project, especially al-Kufrah production project.

The leader said that despite the success achieved by al-Sarir production project in producing wheat, the project's soil is also poor, though not as poor as in al-Kufrah. This project costs dearly because cultivation in poor soil demands nutrients that are imported and mixed with the soil to make it cultivable.

So, al-Kufrah production project and resettlement project and al-Sarir project are great accomplishments in which a hard struggle has been waged with nature, with poor soil and with great distances.

Bringing Libyan Soil Alive

He said: I am speaking about the fundamental reasons why, if we want to bring Libyan soil alive, we must transport this water at any cost--as long as we can afford the cost--to other cultivable areas. As I said at the outset, there are lakes of water under the sands. These sands, from al-Kufrah to al-Sarir and al-Jaghbub, are not cultivable. I have also said that the projects set up in these areas were built before efforts were initiated to undertake this project or to develop the concept behind it. This indicates that there have been serious inclinations to utilize the water in the area where it exists. But it has become obvious that such utilization is not economical and may be wasteful in some respects due to the poor soil, of which I have spoken, and because the soil in this area is sandy and uncultivable. Any attempt to cultivate the area would be very difficult, if not a losing proposition economically.

Brilliant Success in al-Kufrah Production Project

Despite this, we have achieved so far brilliant success in setting up al-Kufrah production and resettlement projects and al-Sarir production projects. These are grain projects that can be transferred or closed

at any time and moved somewhere else. They are not forestation projects or buildings. They are seasonal crop and pasture projects. After the harvest, the project equipment can be moved from al-Sarir or al-Kufrah to any other place.

The leader said that the main thing that must be made clear to all Libyans is that the water is buried under the sand, that the sand is not cultivable and that the water under it must be utilized somewhere else. This is one fundamental point; another is that the distance between areas where the water is and areas with population centers that consume the production of these areas is great which makes transportation of the products to the consumer uneconomical and as wasteful as reconstituting soil and spreading it in these areas to cultivate them.

Citing as an example the production al al-Kufrah project, the leader said: We can terminate the project because so far the fodder produced is still piled up in the area and has not been transported to any other part due to the high cost of transportation. The same applies to the other crops and livestock production generated in al-Kufrah, al-Sarir, Murzuq or other areas in the south.

He pointed out that despite this fact, many projects have been set up in the south, both in al-Kufrah and Murzuq basins. These are fundamental points that we must understand before we start this project. We must move ahead with transporting the water buried under the sand to other cultivable areas in an economical manner beneficial to all southern, northern, eastern and western parts of the Jamahiriyah. He also said: If we want an overall evaluation of this project, then this work costs enormous sums that a poor country cannot afford. We believe that we are now in a position that enables us, if we have the resolve and tighten our belts, to undertake this work, heretofore considered unrealistic.

Transporting Water to Cultivable Areas

Second, we have this water within our borders. But the water is located in uncultivable areas. Therefore, it is necessary to think of transporting it to other cultivable parts within our borders so that we can benefit from it.

Third, even if the soil in these areas were cultivable, it is not economical to set up major projects in them and to transport the production to consumption areas, because this would be very costly. If wheat or flour is transported from Europe, or even from America and Asia, to Libya by ship, this would be less expensive than transporting wheat and flour from al-Kufrah or Murzuq to northern Libya by truck.

If a natural river, a sea and cultivable soil were available here, it would be possible to set up projects in this area and to transport their output by sea. But by land, such transportation becomes an economically expensive process.

Projects in Fazzan and al-Kufrah Basins for Local Consumption

The observation concerning these three main areas is that despite all this, projects have been set up in Fazzan and al-Kufrah basins for local consumption and partly for general consumption. But generally, these projects are encountering economic problems insofar as the soil and transportation of their products to other areas are concerned.

The leader added that the production of al-Kufrah, al-Sarir and (al-Aryal) projects cannot be fully consumed locally. It has to be consumed in the north and, consequently, transported by truck, which is very costly. These projects were set up and these agricultural areas were developed because no immediate thought had been given to transporting the water to the north. Initially, consideration was given to studying the areas and then setting up projects there. The problem of major economic considerations and the presence of great amounts of water in this area became evident afterwards.

Pipeline Consists of Two Stages

The brother leader then explained the great artificial river [water pipeline] project, saying: God willing, this pipeline will have two stages. The first extends from south of Tazirbu and al-Sarir to Ajdabiya and from Ajdabiya to southern Benghazi, the central area and Surt. The length of the first stage of the pipeline will be nearly 2,000 kilometers.

The second stage, if we finish the first stage resolutely and successfully, will extend from Ajdabiya to Tobruk, from Surt to Tripoli and from Jabal al-Hasawinah to Tripoli. It will be nearly as long as the first stage, thus making the total length of this pipeline nearly 4,000 kilometers. An irrigation network similar to transportation, electricity, telephones or roads will have been built throughout the Jamahiriya.

Second Stage

The second stage will begin from Jabal al-Hasawinah and extend northward. Preparations for this stage and its implementation will begin simultaneously with the first stage. The first stage will take nearly 6 years to complete as of the start of implementation. The entire network in all parts of the Jamahiriya will take 10 years to complete. In the first stage, this pipeline will carry 3 million cubic meters of water daily to Benghazi and the central area. When the entire network is completed, 5 million cubic meters of water will be transported through this pipeline daily.

The cost of the various stages of this project will amount to thousands of millions, not hundreds of millions as in the case of the current projects.

River To Irrigate 185,000 Hectares

The brother leader said that according to reports prepared by the committee of expert engineers that makes the estimates used for this project, it will be possible to irrigate 185,000 hectares of land in the winter and

spring seasons and 100,000 hectares in the summer. The committee says that these astronomical figures need to be discussed. It will also be possible to breed 2 million head of sheep and 200,000-250,000 head of cattle on the areas to be irrigated by this water. The committee says that the quantity of grain that can be produced annually will amount to nearly 750,000 tons [as published] whereas we consume 600,000 tons. It will be possible to produce 750,000 [as published] more tons of wheat than Libya consumes. According to this information, 37,000 farms can be set up, each with an area of nearly 5 irrigated hectares. This means that if the farms consist of 5 hectares each, there will be 370,00 farms.

Pipeline Will Be 4,000 Kilometers Long

The leader noted that the great pipeline will be 2,000 kilometers long in the first stage and will have a length of 4,000 kilometers when completed. He also pointed out that the pipeline in the first stage will carry 3 million cubic meters of water daily and in the final stage 5 million cubic meters daily and that it will irrigate 185,000 hectares for two seasons and 100,000 hectares in the summer, pointing out that the volume of wheat produced will exceed Libya's consumption, if this great work is completed successfully.

He said that the project's costs will amount to thousands [of millions] and will be detailed later. Plants will be set up to produce the enormous pipes, for which there is no equivalent in the world. A plant will be set up in al-Burayqah and another in al-Sarir. According to the estimates, the plant in al-Sarir will be five times bigger than any pipe plant in the world. Another plant may be set up in the west to supply piping for the line extending from Jabal al-Hasawinah. These three plants can be set up simultaneously. The pipes will have a diameter of 4 meters and each looks like a room, meaning that if a man stands inside one of these pipes, it will look as if he is standing inside a large room. The leader also noted that the number of pipes needed for this project will be half a million, each weighing 76 tons, a length of 7.5 meters and a diameter of 4 meters.

The leader then spoke of the stages of implementation of the great pipeline and of the importance of carrying on with the work on this miraculous project, once it is started, noting that any delay will cost us millions of dinars.

He said that the pipes will be buried in furrows in the ground with a total length of 4,000 kilometers, because it is impossible to extend a huge pipeline with a diameter of 4 meters--a pipeline with nothing like it in the world--overground, as that would cause problems for vehicles, men and animals to cross from one side to the other. An enormous dam, in addition to other technical installations concerned with resistance and pressure, will be built above ground level.

He said that this huge pipeline will link the land, that the earth to be moved will be 10 times more than the earth used in building the High Dam, which is generally cited as an example in this area. Consequently, the project will be comparable to the High Dam, the pyramids and some lakes and walls that are considered wonders known throughout the world.

The leader added that the earth used in the construction of the High Dam was one-tenth the soil to be used for the great pipeline. As for the gravel to be used in producing the pipes, it will be 12 times more than used for the Great (Khufu) Pyramid. This is a valid comparison. If we piled up the gravel to be used in producing the pipes, it would be a wonder, meaning that this gravel would be enough to build 12 pyramids, and the pyramids are one of the world's wonders. This is another valid comparison; if we piled the gravel up next to the (Khufu) Pyramid, the pyramid would look like a house built next to a mountain.

The leader also pointed out that the data says that the cement and other materials that will be used in the production of the pipes is enough to pave a highway from Libya to India, that 4,000 multipurpose machines and pieces of equipment will be used in the project and that the enormous furrow will be dug by machinery, not by hand.

Eight Thousand People To Work on Pipeline

He also said that the median number of people working on this project will range from 7,000-8,000.

He added that the more exciting data says that the quantity of water to be transported daily through the pipeline network will equal 55 percent of the entire volume of oil consumed by the world daily. The total volume of water that can be transported through these pipes in the final stages will be twice the size of Lake Como, a well-known lake in Northern Italy.

The leader then touched on the tasks that must be undertaken to present this project to the basic people's congresses in light of the data and explanations he has provided in his presentation of this project.

Presenting Data to People's Congresses

The leader said that the secretaries of the people's congresses and people's committees will convey details now available; subsequent details will be presented at another session with the specialized professionals. The people's congresses will also be summoned to emergency meetings where the data that have already been presented in al-Kufrah will be presented again so that the popular masses can decide at the basic people's congresses what they want regarding this serious undertaking.

He pointed out that the Libyans' contribution to this project, if we are prepared to undertake this contribution, is to finance the project so that each of us feels that he has put some of his income toward building this great pipeline.

The leader asserted that completion of this great endeavor will be a feat for the Libyans.

He said that the project is being viewed from a purely economic angle and that if it were not economically feasible and truly beneficial, it would not have reached this phase. We say, moreover, that this project would be a glorious feat for the Libyans even if it had no economic benefit. However, the economic benefit is 100 percent certain with your will, and revolution is will.

He further explained that all Libyans are required to contribute to the project and that ideas proposed by the People's General Committee and by a number of financial and administrative experts deal with how to contribute to this project. It is not a difficult method and will not cost the Libyans much, although it contributes greatly at the same time to financing this project through a number of tax measures and commodity and insurance fees that amount to a portion of the contribution from oil revenues and from revenues of the Jihad Fund.

The leader also pointed out that the memorandum concerning the project and its stages of implementation will be discussed fully by the people's congresses, which are empowered to add or reduce, approve or reject. The Libyan people are free to undertake or not undertake this task.

He further noted that the memorandum will be read in full to each congress and that the congresses will then discuss it because they are (the principal decision maker) for the Libyan people. The leader said that this great work can be accomplished by our putting up X number of dinars. How are we Libyans to collect this X number of dinars? We collect them by the method explained in this memorandum. We can discuss the memorandum and say: No, there is a better way. We may add to or omit from this memorandum. The people are free. They may refuse to contribute altogether, or they may contribute in an unexpected way, as the Free Unionist Officers did when they announced in the past 2 days that they would contribute in advance 2 month's salary to this project, in addition to the fees, taxes and insurance they will pay and to which they will be subjected, like all other Libyans, when the people's congresses approve these fees and taxes. This is an unexpected contribution. On other points, the leader said: I don't want to talk to you about what fees may be imposed on cigarettes, movie tickets, insurance, meat or rice. These are things the committees will discuss with you so that you can understand them and convey them to the people's congresses for discussion.

He continued: We cannot decide anything here. This is not a parliament and there are no deputies representing the people. We meet here only to

convey these matters to the people's congresses so that they can be discussed there. The secretary of any congress or committee has the right to discuss and debate in this hall, not so that we make a decision but so that he understands what he will convey to his people's congress or people's committee.

Regarding the second point, supervision over this project, the leader said that if this project is adopted, it will need a specialized fulltime agency [jihah] to supervise it, of course. Regrettably, it will be implemented by foreign firms, But it will still need a Libyan agency to supervise it.

He said that what is supposed to happen is that all the intrinsic contributions will go directly to the agency that will be entrusted with managing the project. This agency will then make payments to the executing firm.

The leader also said that the masses of the basic people's congresses must give the agency to be entrusted with managing this project the powers that enable it to carry out its work so that no objection may be raised over some measure taken by the agency. The masses can promulgate an extremely strict law that goes as far as stipulating the death penalty for any individual who exploits his position in this agency.

He further said that the penalty for any person exploiting his powers in this agency must be a severe penalty.

As to how this agency will be set up, the leader said: I am inclined toward the presence of a popular agency, as in the other facilities, whose personnel enjoy equal power, so that if one member is absent, the work will not come to a halt, because all of the members enjoy the same power.

He said that this task must be entrusted to an independent popular agency empowered to act for 10 years, for example, in accordance with a law promulgated by the people to serve this enormous project. This agency is to be brought to account periodically so that we do not come 10 years later and say in memorandums that the agency formed for the great pipeline did so and so and exploited this or that, as is now happening with the High Dam and other projects.

The leader said that in order that this does not happen, the agency is to be subject to the law and to careful review, control and accounting and must be subject to inspection and auditing to insure that it uses its powers in the interest of the project.

As for the third point concerning monies to be paid to the executing firm, he said that three-quarters of such sums will be remitted abroad and one-quarter will be disbursed to the companies internally.

He said that the masses of the basic people's congresses must discuss this issue and decide how to cover the amount they will have to pay.

In this respect, the leader underlined a number of spheres, means and methods in which this sum can be recouped.

The leader said that the fourth point in this project involves asking some of the rich Arab countries to contribute to it, just as the Libyans contribute. We will ask the rich Arab countries to participate with the Libyan people in building this great project in any way possible. This is likely to embarrass the rich Arab countries. An entire people, like the Libyan people, will ask these countries to participate with them in a historic undertaking. If these countries fail to contribute, it will be a historical embarrassment for them. It will be said some day that they failed to contribute to this great work and it may be written in an indelible place that such and such Arab countries under such and such administrations refused to participate with the Libyan people in this project or that this or that country under this or that administration did participate with the Libyan people in this project. The leader pointed out that these countries' contributions prove their credibility insofar as their espousal of Arab unity is concerned, especially when this project is an international project similar to the High Dam, the Suez Canal or any other lasting historic work.

The leader explained that water will flow through this enormous project for 50 years at the rate of 5 million cubic meters daily, according to the studies at our disposal. This means that after 50 years, the water level will drop, and it will become more costly to pump the water out. The water available is enough for 400 years but the water table will drop and it will become more expensive to get the water, according to the experts' estimates. What I mean is that the wells will change and in 50 years their water level will drop to 200 meters, whereas this level now ranges from 30-80 meters below ground level. These are artesian wells that may be 1 meter below ground level in some areas.

The leader added that there are other more profound questions that may or may not arise, such as whether this water is replenishable or not and if it is replenishable, how is it replenished and what means enable us to utilize the water in a very advanced way. He noted that we have not yet had the chance to answer some of these questions, which are still under study. He added that this water may or may not be replenishable and that it may emanate from certain remote areas where it may or may not be replenishable. When will all these questions be answered precisely? Artificial satellites are still making studies and we have numerous reports on these southern areas at our disposal.

The leader added: With this simple and brief explanation, the project of the great artificial river [water pipeline] is generally clear, though not in detail. These committees will take charge of explaining the details.

Regarding this congress, which is tantamount to a number of people's congresses and committees that will convene in the forthcoming session of the people's congresses to draw up the agenda of the third session after which the General People's Congress will convene to formulate it. The leader said: There are several points I want to mention to you so that they can be included in the agenda and discussed by the people's congresses. I will mention these points in a future session. Forward, and the struggle continues.

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ARAB INVESTMENTS, PROJECTS IN TOURISM DETAILED

Tunis LA PRESSE DE TUNISIE in French 17 Oct 83 p 2

[text] The large-scale promotional effort made by the Office of Tourism to attract Arab capital to Tunisia has become a reality with the signature a few days ago of an agreement relating to the development of the shores of the Gulf of Tunis, which has justly been called "the project of the century" in terms of urban and tourist development.

However, this large undertaking was preceded and will be followed by others which will be equally important for the future of tourism. This is a sector which has attracted the attention of several Arab financial institutions and development companies, which have been flocking in to take part in its development.

Sousse-Nord: a Complex Under Continuous Expansion

An integrated resort area, a unique development in Tunisia, the first "garden port" of the Mediterranean, Port El Kantaoui, and the tourist resort that has been built up around it have undergone substantial development over the last few years. This is why other hotel units have been added to those already in service.

The Abu Dhabi Fund, which has a capital interest in the Sousse-Nord Development Company, is the general promoter of the resort. This company has already constructed the first phase of a resort complex which includes the Hotel Hannibal (with 500 beds in the four star, deluxe category) and the first phase of the tourist real estate complex of Diar El-Bahr.

For its part the Kuwaiti consortium, acting through CTKD [Tunisian real estate development consortium], has developed several tourist projects. Others are now under way.

The "Nejma" complex in Sousse, with 200 beds and an entertainment center, has been partially completed. It will be finished in successive stages.

At Port El Kantaoui the CTKD has already built Diar El Andalous, with its beach club and a capacity of 609 beds. In addition to the Diar El Andalous hotel, this complex will also have an apartment hotel.

In Tunis itself the CTKD has restored and modernized the Hotel Abou Nawas (formerly the hotel Gammarth). At Belvedere the "Mechtel" project will soon open its doors. It has a capacity of 1,852 beds divided between a hotel and an apartment hotel. Other projects already approved or under consideration will soon be constructed by the CTKD. These involve the Hammamet Hotel (450 beds), the Jerba Hotel (450 beds), and the Tozeur Hotel (200 beds). Furthermore, the CTKD will construct the third phase of the "Nejma" complex in Sousse. The Monastir tourist complex will include a tourist hotel and an apartment hotel.

In terms of commercial property the CTKD will participate in the construction of "Tunis-Centre," which will include a shopping center and offices facing on the Place de Tunisia-Palace du Palmarium and the Artisanat. This complex will be both a cultural center (movie theater and theater for stage productions) and a shopping center with stores, shops, cafes, and restaurants.

The CTKD will also share in the construction of an international conference center (de luxe hotels and conference, entertainment, and shopping centers) and the tourist complexes at Gammarth, Sfax, Mahdia, and Kibat de Monastir.

Saudi Investments Increasingly Large

The Arab Tourist Company (CTA) has also undertaken a large program for the development of the Tunisian tourist sector.

Two integrated complexes will be constructed at Tunis-Nord and Monastir.

For its part the "Arab Tourism" Company (A. Tour) has undertaken construction of a tourist complex at Monastir.

The "Prestige" hotel will be built in Tunis-Nord (capacity of 400 beds). Husayn al-Harithy, the Saudi promoter, in cooperation with Sabah al-Kamal, another Saudi businessman, are planning to construct a tourist complex at Ghar El Melh.

Qatari Investments

Qatari investments under consideration in the tourist sector will reportedly relate to the construction of a tourist and office center in the Nord-Ouest section of the Gulf of Tunis (Tabarka and Ain Draham) with a capacity of 2,270 beds.

Other tourist projects will soon be undertaken and will strengthen bilateral co-operation in the field of tourism.

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CSO: 4519/18

BIZERTE-TUNIS PIPELINE FOR PETROLEUM PROJECTS

Tunis LA PRESSE DE TUNISIE in French 14 Oct 83 p 2

[Text] A first in the petroleum field in Tunisia. This is a multi-product pipeline intended for the transportation of refined "white" petroleum products (standard and super-grade gasoline, gas-oil, lamp oil, and kerosene) from the refinery at Bizerte to the petroleum tank farms in Tunis. The pipeline will begin to operate next month. The pipeline, which is being constructed by SOTRAPIL (Pipeline Transportation and Petroleum Storage Company), seems likely to have an excellent future, particularly in economic terms. For the technicians of SOTRAPIL and for Khemais Damergy, its president and director general, the inauguration of the pipeline will make it possible to save money in several areas.

Why This Pipeline?

The shipment of petroleum products from the Bizerte refinery to the interior of the country, particularly the Tunis area, a large consumer of energy (nearly 50 percent of the total national consumption), poses many problems. First of all, there is maritime transportation (using the port of La Goulette). In fact, in addition to congestion of the highways and in the port, the replacement of an aging stock of trucks and of ships raises the problem of cost and of investments. Then there is the problem of the energy cost of the transportation of 1 million tons of petroleum products (the production of the Bizerte refinery). Transportation using present facilities requires nearly 5,000 tons of fuel in tons of petroleum equivalents, according to studies made by SOTRAPIL.

Transportation by pipeline of "white" products from the Bizerte refinery to the terminals at Goulette-Rades and Ariana (not yet completed) will therefore permit savings to be made in all areas. First, it will provide security of supply and will subsequently involve energy savings in the transportation of refined products. Pipeline transportation costs are about 1 KTP (Petroleum equivalent per kilogram); transportation by truck is 5 KTP; transportation by ship is 7 KTP. Savings in investments in equipment for the transportation of refined products are rather considerable, if only the operating life of each mode of transportation is

taken into account: 36 years for the pipeline, 12 years for a ship, and 6 years for a truck. The road network and port facilities will benefit, in turn, from this change in the transportation of petroleum products. Assuming 10 millimes [1 millime equals one thousandth of 1 dinar] for maintenance each year for each ton-kilometer, the transportation of "white" products by pipeline would lower the road maintenance bill by nearly 1 billion millemes [1 million dinars]. And the other advantages? The transfer of pipeline technology is another benefit. The struggle against pollution and accidents on the highways, as well as the creation of 90 permanent jobs are other "fallout" benefits from the pipeline.

According to SOTRAPIL, the average savings per year after 1985 would be in the order of 3 million dinars, 70 percent of which would be in foreign exchange.

The Stages and the Objectives

In the first stage the purpose of the pipeline is to take care of the transportation of medium distilled refined products from the refinery to the tank farms in the Tunis area. Two of these tank farms, the first one at La Goulette-Rades and the second one at Ariana (Choutrana Province), will be distribution points for shipping petroleum products to the principal points of consumption. From these two distribution centers subsequent shipments of the various products will be made to the "enclosures" of the distributors. Moreover, these subsequent shipments, which were not initially planned for, will permit SOTRAPIL, a Tunisian company, to control and manage the distribution of petroleum products. The work on the project, which began in July 1982, is nearly completed: the pumping station in Bizerte is ready and tested, the 72 kilometer long pipeline has also been tested, and the terminal at La Goulette-Rades is currently being tested.

In the second phase the transportation of petroleum products will be arranged to the Sousse and Monastir area by 1985, by which time the level of consumption in this area will make the second project, now under study, economically feasible. Thus, even in case of the expansion of the Bizerte refinery, the transportation capacity of the pipeline can handle it. The theoretical transportation capacity of the pipeline is 2 million tons per year. Furthermore, at the time it begins to function it will be operating at 30 percent of capacity. Over the medium and long term it is a matter of ensuring the supply of petroleum products to the whole country, using this mode of economic transportation.

5179

CSO: 4519/16

JOUMINE DAM INAUGURATION WILL HELP SOLVE WATER PROBLEMS

Tunis LA PRESSE DE TUNISIE in French 12 Oct 83 p 2

[Article: "President Will Inaugurate Joumine Dam This Week: Decisive Project for Growth in North"]

[Text] More than 1.5 billion cubic meters of water can be easily stored. The Joumine Dam will permit a basic solution to the water problem, both in Bizerte and in Mateur.

On the occasion of Evacuation Day [anniversary of the official French departure from Tunisia] the president of the republic will inaugurate the Joumine Dam, which constitutes the second phase of the basic plan for the collection and distribution of water from the North and the Extreme North of the country. The first phase involved the construction of the Sidi Salem Dam and the canal from Medjerdah to Cap Bon. It is Bizerte, above all, which will immediately reap the benefits of this project, whose cost amounts to 61,600,000 Tunisian dinars: 47,600,000 dinars in the form of a Tunisian budget allocation and 14,000,000 dinars in a credit granted by the USSR.

The Joumine Dam is located 7 kilometers from the city of Mateur, 45 kilometers from Bizerte, and 70 kilometers from Tunis. This is one of those imposing projects whose economic value does not have to be demonstrated. The long process of preparation for this project provides sufficient evidence of this. The first draft of the project—or rather the preliminary draft—was prepared in 1962. The preliminary draft was brought up to date in 1977 and then acquired the status of a project. It was not until 1980 that work on the dam was actually begun.

"It provides a clear picture of the optimum use of surface water in Tunisia until the year 2010." This is how the experts describe the basic plan for the collection and distribution of water from the North. No one is unaware of the fact that the Extreme North of the country enjoys very heavy rainfall, going from 900 mm to 1500 mm per year (compared to rainfall of between 400 and 900 mm in the North, 300 to 400 mm in the center, and less than 200 mm in the South). That means that the water most easily collected, and at low cost, is clearly to be found in this part of the country. It is estimated that the volume of available water in the Extreme

North amounts to 1.5 billion cubic meters: 800 million cubic meters in the Medjerdah Basin and 700 million cubic meters in the Ichkeul, Nefza, and Tabarka Basins. Before the construction of this dam the water situation in the area was rather paradoxical: on the one hand there was a considerable volume of water, for the most part unused or misused; on the other hand there was a whole region, in this case the Bizerte area, which had a chronic shortage of water. This involved both drinking water and water for irrigation.

That was the major reason for the construction of the Joumine Dam.

Drinking Water and Irrigation Water Even During the Dry Season

In fact the Joumine Dam will make it possible to provide the whole Bizerte area with drinking water. The residents of this beautiful city can only rejoice to learn of this fact. The dam will also make it possible to revitalize 1,500 hectares in the Mateur plain area, in addition to about 1,000 hectares which will be irrigated by the Ghezala Dam, now under construction.

Furthermore, the Joumine Dam will help to sweeten the water impounded by the Sidi Salem Dam, since water coming from the two dams will empty into the Medjerdah-Cap Bon canal.

The Joumine Dam consists of an enormous dike holding back the waters of a reservoir. The whole structure operates with electrically-operated, hydromechanical controls. The construction of this major project made it necessary to undertake further works which had not been foreseen at the beginning. In this way it was found necessary to detour a segment of Highway GP11, in addition to detouring electrical and telephone lines which passed through the location where the dam was built.

5170

CSO: 4519/18

REPORTER ON INVESTMENTS IN ISRAELI SETTLEMENTS

TAO91830 Tel Aviv YEDI'OT AHARONOT in Hebrew 9 Nov 83 pp 10, 27

[Article by Yisra'el Tomer: "The Mystery: How Much Was Invested in the Settlements?"]

[Text] The finance minister was right when he told the members of the Knesset Finance Committee last week that the future of Judaea, Samaria and the Gaza Strip is basically not an economic problem, but a political one. However, the future of these territories is in any event a budgetary problem of the government, especially in a period during which the finance minister is demanding that all government expenditures, including those for education and social welfare, be cut. In his appearance before the Knesset Finance Committee members, Yig'al Kohen-Orgad made quite an artificial effort to belittle the financial and budgetary implications of investments in settlements in the territories.

He disclosed that 22 billion shekels were allocated for settlement in the territories in the 1983-1984 government budget. It transpires, however, that this sum is based on government budget figures that taken into consideration a 90-percent inflation rate this year. It is already clear now that inflation this year will be at least 160 percent. Therefore, this sum quoted by the finance minister translates into 39 billion shekels in today's prices, namely, an annual expenditure of \$470 million. Additionally, this sum does not include government subsidies which the Judaea, Samaria and Gaza Strip settlers enjoy and which amount to \$80 to \$100 million annually. Incidentally, Finance Minister Yig'al Kohen-Orgad almost automatically enjoys this subsidy since he is now building his house in Ari'el.

The government has so far expanded settlements in Judaea and Samaria on the principle that the "sky is the limit," or more precisely, with financial resources and the number of Jews prepared to live in these regions being the only limitation.

It sometimes seems that the government does not even take this limitation into consideration.

The settling elements in Judaea and Samaria today do what they please without waiting for government decisions. They expand existing settlements, set up new ones and found military outposts....

The technique for setting up new settlements is simple: A wedge is first driven into the ground and then everything else--including infrastructure, electricity, water and housing--is considered. Ari'el Sharon labelled this technique "foothold".... In any case, the implementation precedes any formal decision or comprehensive planning, and this technique naturally involves a large waste of money.

Under these circumstances the settlements in the territories have turned into a huge drain on financial resources without decisions having been made on them in advance and without having taken into consideration the country's financial distress. Any shortcoming in funds is produced either by printing extra currency or by cutting other budgets. Thus we have reached a situation where, on the one hand, there is a settlement momentum in Judaea and Samaria, and on the other hand, the older settlements located within the "Green Line" boundaries are going bankrupt, and the Galilee and 'Arava areas are empty of Jews.

Many plans have been prepared in recent years regarding the settlement in the occupied territories. Some of the plans have been carried out and some are only on paper. One who has been proven to be a very productive "producer" of plans is Matityahu Drobles, one of the two heads of the Zionist Organization's Settlement Department.

Drobles, who represents the Herut Movement in the Zionist Executive, has already issued the "100,000" plan for settling Judaea and Samaria, the "scores of ten thousands" plan for the Golan Heights and the "composition" [name as published] for the Gaza Strip. The cream of the crop he prepared this year is the "plan of a million and more" for settling Judaea and Samaria, or as it is officially called, "a master plan for settlement in Judaea and Samaria --development plan for 1983-1986."

Although sometimes "the eyes can see more than the mouth can chew," we had better take a serious view of these plans, even the grandiose ones.

Although not officially discussed yet, all government elements have given their agreement in principle for the last plan and its content and it serves as a practical guideline for operations in the area.

The intention is that within 15 to 20 years more than a million Jews will live in Judaea and Samaria and these will not necessarily be new immigrants who are not yet here but mainly Jewish residents who today live in the Green Line boundaries between Cedera and Hadera....

An interim objective of the plan is that by mid-1986 56 new Jewish settlements will be set up in Judaea and Samaria, in addition to those existing there now. The total number of settlements will then reach 165. According to the plan 25,000 Jewish families, about 125,000 people, will reside in Judaea and Samaria by then.

All this costs a lot of money. During the first 10 years of implementing the plan the national expenditure in Judaea and Samaria--namely, the expenditures

of the various government offices and national institutions—will amount to about \$300 million annually. We are then talking of huge investments which will amount, in the coming decade, to \$3 billion (250 billion shekels at today's rate). This is not all since during the same period, in addition to the "national investment," private elements, according to the plan, will invest another \$2 billion for the establishment of apartments, industrial plants and so on and so forth. The overall investment in Judaea and Samaria will then reach \$5 billion, that is more than 410 billion shekels at today's rate.

A small detail out of this large investment: Another 20,860 new housing units will be set up in the West Bank and the investment for this will be \$829 million, one-third of which will come from the government budget and two-thirds from private elements who will purchase the apartments. On the average then, nearly 7,000 housing units will be set up annually.

What is there in Judaea and Samaria today?

By September 1983, 108 Jewish settlements as well as the Hebron Jewish Quarter have been set up in this region. Also, the building of the Jewish Quarter in Nabulus is underway. Six thousand housing units are populated already. Regarding another 7,000 housing units--their building has either been completed or is in the final stages--populating them is the only thing remaining now.

Additionally, there are already starts of buildings or detailed planning for building another 12,000 housing units.

About 28,000 to 30,000 Jews were registered as living in Judaea and Samaria at the beginning of September. This number will be doubled toward the beginning of 1984 and will reach 50,000 to 60,000 people. These are official data. These figures may be a bit exaggerated but it is clear that the percent of "ideological" settlers in Judaea and Samaria is decreasing and will continue to decrease in the future too, upon the establishment of quarters and settlements closer in proximity to the Green Line, "just a quarter of an hour from Kefar Sava or Petah Tiqva."

Truthfully, the planners of the "unification" of the West Bank are now proposing to solve the housing distress in Israel inside the Green Line, through massive aid to anyone prepared to settle beyond the Green Line.

Not only can one build a villa in the territories for the cost of a 3-4 room apartment in Petah Tiqva--the cost of an apartment in Ma'ale Adummim is about 25 percent cheaper than in Jerusalem--but the scale of the mortgage and loan for anyone who purchases an apartment in Judaea and Samaria is also one-third to 50 percent more compared to that for people purchasing apartments in the development areas within the "Green Line" areas.

What is the comprehensive investment in Judaea and Samaria to date?

One of the interesting things is that in all the government ministries--even in the Finance Ministry--there are no authoritative data to answer this questions. Nobody is apparently interested in collecting all these data, only

part of which are open and most of them are concealed among the clauses of the Defense Ministry's outlays and those of other government ministries. The estimates regarding investment in Judaea and Samaria, the Gaza Strip and the Golan Heights, over the last 15 years, range between \$1.3 billion and \$8 billion (an estimate noted recently by Prof Ra'anana Weitz).

According to a calculation we made, based on the cost of constructing dwellings of \$40,000 per flat of 100 square meters and another outlay of \$35,000 for a flat for the infrastructure and the development of public buildings, then only for dwellings in the West Bank some \$900 million have already been invested; a sum more than twice what was, for example, invested to date in the rehabilitation of the 85 underprivileged quarters within the Green Line.

These are giant investments indicating the government's scale of priorities.

It is worth recalling here that giant sums of about \$17 billion (of which \$2 billion were for civilian settlements and roads) were also invested in the Sinai to "create eternal facts"; nevertheless, political reality altered these facts. It is true that in Judaea and Samaria it is a question of a greater Jewish population, and any change here would involve greater political shocks. In the final analysis, however, the future of Judaea and Samaria will not be determined only by the settlements--however massive they are--but it also depends on what occurs in Israel itself, what happens in the Arab world that surrounds us, and even on what occurs among the world's nations.

CSO: 4400/56

BRIEFS

VALUABLE IDF EQUIPMENT LOSSES--[Report by Mikha'el Gerti and Eytan Rabin]--IDF equipment worth 11 billion shekels has not been located since the Operation Peace for Galilee. This emerges from a special communication despatched by the chief of staff to the unit commanders. The chief of staff has requested meticulous checks and inventory controls of all the equipment in the units. [Excerpt] [TA041503 Tel Aviv HA'ARETZ in Hebrew 4 Nov 83 p 1]

GNP, PAYMENTS BALANCE STATISTICS--Though the treasury was talking last week about a possible drop in output, the Central Bureau of Statistics released figures yesterday that showed that Israel was undergoing an economic expansion in the first half of the year. The statistics reveal that during the first half of 1983 the Gross National Product rose by 3 percent compared to the last half of 1982. If continued, this translates to a 6 percent annual rate of economic growth. The figures also show that the economic expansion was based on a massive increase in private consumption, about 8 percent in real terms. Investments showed a similar rate of growth. Public consumption declined by 5 percent. The figures also reflect the deteriorating state of the balance of payments. Exports fell by 1 percent during the first half of the year. Imports rose by 1 percent, but by 6 percent when military imports are not included. [Text] [TA042038 Jerusalem THE JERUSALAM POST in English 4 Nov 83 p 14]

SPANISH PROCUREMENT DELEGATION VISIT--[Report by Ze'ev (Strominiski)]--A state scientific delegation from Spain--the first of its kinds from that country--is now in Israel, to examine possibilities of procuring modern technologies. This has been learned by the DAVAR correspondent. In response to a question by DAVAR, Minister of Science and Development Prof Yuval Ne'eman said that it was currently a question of exchanges of information, but he did not dismiss the possibility that the visit would lead to commercial projects. He said the delegation's visit should be seen against the background of the improved political atmosphere between the two countries, and the predictions that diplomatic relations will be established between them. The delegation members met yesterday with Minister of Energy and Infrastructure Yitzhaq Moda'i. Moda'i reported that the visitors were interested in energy developments and the exchange of information. The minister of energy said that a tightening of economic links could improve the general relations between Israel and Spain. Fears are being expressed in Spain about Arab pressure following a tightening of links with Israel and this sometimes results in a cooling of bilateral relations. Meetings in the Ministry of Finance have also been arranged for the Spanish delegation. [Text] [TA081024 Tel Aviv DAVAR in Hebrew 8 Nov 83 p 3]

TOURISM AGREEMENT WITH SPAIN--Spain and Israel have signed a tourism agreement for the first time between "Mundicolor," the Spanish national tourism company, and the Israeli company "Kopel Tours." The agreement was signed in the framework of the International Tourism Exhibition which is currently being held in the Fair Grounds in Tel Aviv. Details about the agreement were divulged last night by the president of the Spanish national tourism company, Julio Gonzalez Surio, at a news conference in Bet Sokolov in Tel Aviv. [Excerpt] [TA090728 Tel Aviv 'AL HAMISHMAR in Hebrew 9 Nov 83 p 8]

JEWISH SETTLERS IN TERRITORIES--Deputy Minister of Agriculture Mikha'el Deqel admits that of late there has been a freeze in settlement in Judaea and Samaria, and this derives from poor and incorrect organization by the establishment. According to him, several ministries are to blame for holding up settlement in Judaea and Samaria, since they are not conscious of what he calls the importance of the settlement momentum. Our correspondent Shalom Oren reports that in accordance with figures issued by the Central Bureau of Statistics, there are at present only about 25,000 Jewish settlers in Judaea, Samaria, and the Gaza Strip--less than one-half of the number that was anticipated. Our correspondent has learned that a senior cabinet forum will discuss this issue in the near future. [Text] [TA081631 Jerusalem Domestic Service in Hebrew 1600 GMT 8 Nov 83]

CSO: 4400/56

ISRAELI, SYRIAN OBJECTIVES, NEGOTIATION EFFORTS EXAMINED

Paris AL-MUSTAQBAL in Arabic No 342, 10 Sep 83 pp 20-22

[Article by As'ad Haydar: "The Battles of the Last Few Days Are Deciding the Fate of Reconciliation, the Agreement and the National Pact?!"]

[Text] After 7 hours, the Israeli forces had completed their withdrawal from the mountain, from an area no more than 600 square kilometers in extent. In less than 7 hours, the mountain had exploded with battles between the Druze, whose backbone is formed by the forces of the Progressive Socialist Party under the leadership of Mr Walid Jumblatt, and the "Lebanese Forces." Once again, Lebanon had entered the vestibule of civil war. First of all, the Israeli withdrawal of last Sunday night was surprising because of the speed with which it was accomplished. Secondly, it was disappointing to the hopes of the Lebanese Government because the Israelis insisted on carrying it out before the Lebanese preparations to fill the gap it would produce and prevent war from breaking out could be completed.

Within 48 hours, the warring forces had joined in battles the likes of which the 2-Year War (1975-1976) had not witnessed. The socialist forces and the Druze attacked Bhamdun with the goal of opening the way to 'Alyah, which had been surrounded for 7 months. The "Lebanese Forces" advanced in the direction of the center of Kafr Matta-Qabr Shmum, in order to open the way to Suq al-Gharb, where their forces were located. For its part, the Lebanese Army entered a fierce battle for the center of Khaldah, with the goal of controlling the triangle of the international highway which connects Beirut with the south and Khaldah with the barracks at al-Mishrif. After 48 hours, the Druze had gained control of Bhamdun, while the Lebanese Forces had taken Kafr Matta and Banin. The Lebanese Army had taken the crossroads at Khaldah, without being able to link the barracks at al-Mishrif with it. At the same time, the region of Kisrawan was being subjected to an artillery bombardment the likes of which Lebanese territory had rarely seen throughout the last 8 years.

As each artillery shell was fired with a reverberation, the Lebanese put one hand on their heads to protect them and another on their hearts out of fear for Lebanon and its fate. This time, the fate of all Lebanon hung in the balance, from the state to the National Pact, reconciliation, coexistence, comprehension and mutual understanding. The explosion of the country's "Sectarian mosaic," which has ancient roots going back to 1860, in this way and with this intensity,

is not something that can be wrapped up in the Lebanese fashion. The fear was increased by the fact that these battles were accompanied by sectarian slaughters full of cruel incidents and results. The gloomy blackness of the situation was deepened by the fact that all these battles were preceded by large-scale clashes between the Lebanese Army and armed men from Amal in Beirut. The army passed its first test during the confrontation in Beirut. It held firm during its baptism of fire and did not "burst." It knew how to spare itself a broad clash in the southern suburb by using the method of "Don't be soft, but squeeze; don't be cruel, but break." The army was helped in achieving this by the fact that the expanded Islamic meeting in the house of the mufti of the republic, Shaykh Hasan Khalid, had preferred an agreement which included the following:

1. Nabih Birri would issue a call to the Amal fighters, telling them to withdraw and cease firing.
2. The Lebanese Army would enter West Beirut and deploy in East Beirut.

Difficulties and problems were encountered in applying the agreement. This caused Nabih Birri to announce that "the Sunnis and the government are violating the agreement." Dr Salim al-Huss and Mr Malik Salam announced the same thing. Nevertheless, the army entered and completed its deployment in West Beirut, while being satisfied to surround the area of the southern suburb without entering its quarters. The special situation there is sensitive, since most of the area's inhabitants are Shi'a Muslims, the majority of whom follow the Amal movement led by Mr Nabih Birri.

In this ticklish atmosphere filled with accusations, the Lebanese authorities had failed in their attempts to reach an agreement with Mr Walid Junblatt concerning the entry of the army to the mountain. Mr Junblatt refused to discuss the army's entry until the 10 demands he had presented after the detaining of the 3 ministers were realized. To these 10 must be added the demand of the National Salvation Front, of which Mr Junblatt is considered to be one of the main pillars, that the Lebanese-Israeli accord be canceled. Therefore, Israel's withdrawal and consequent failure to honor the request of the Lebanese Government and the American mediators that it be delayed a third time, in addition to the speed with which it was completed, which is to say in 7 hours instead of 7 days, seemed to indicate that the whole operation had been thought out by Israel with the purpose of igniting the situation in the mountain and leaving Lebanon in the crater of the volcano of civil war. After all, Israel had not completely achieved the goals it had set for the 1982 invasion. Israel's basic unachieved goals are:

1. Removing Syria's forces, along with those of the Palestinian resistance, from all of Lebanon's territory.
2. Signing a complete peace and recognition agreement with Lebanon.
3. Crushing the PLO politically after striking it with its well-known military blow.

This leads one to talk about the role and responsibility of Israel igniting the war in the mountain (about which the Western press unanimously agrees). In

September 1982, Israel let the Lebanese Forces go into the mountain area it was occupying. It also ignored the fact that the Druze were arming themselves and that the forces of the Progressive Socialist Party were taking up positions with their weapons in the Druze villages. Israel did not intervene to stop the armed clashes which were occurring between the two sides, though it knew it had complete control over the region and could do so. In this well thoughtout fashion, it prepared the ground and people's hearts for this new war.

Lebanon, which has kept itself and the world busy for the past 8 years, is no longer itself in 1983. For the Lebanese war, in some of its details, was but a part of the international game. Consequently, Lebanon was subservient to some of the rules of this game. In 1983, this Lebanon entered the arena of the international game through some of the game's most precise and sensitive lines. There are now American Marines on Lebanese territory, along with British, Italian and French forces. These forces have come to Lebanon before, but the coming of the Americans, even as part of an "international peacekeeping force," means certain things. This is the first time in which American forces have been concentrated in the Middle East. Therefore, the closeness of the battles to the Marines is considered a way of touching the "redline," the causes and results of which Washington cannot ignore. Therefore, there has been a race "against the clock" between the military solution and the political solution in Lebanon. This has happened in a way not seen before. Between 1975 and 1982, the usual thing was for the political solution to take a long time. It would come only after the combatants had tired. But this time, it began not with the first instant of battle, but many days before the fighting broke out.

A week before the battling started, a meeting was arranged between Mr McFarlane, the American presidential envoy to the Middle East, and Mr Walid Junblatt, in Paris. The meeting had been postponed 24 hours due to the problem which arose from the fact that Mr Junblatt did not want to meet Dr Wadi' Haddad, President al-Jumayyil's national security advisor. However, Mr McFarlane arranged the meeting in a diplomatic fashion. Two meetings were held in the home of Mr Francois de Grossouvre, President Francois Mitterand's adviser on national security affairs. A third was held in the home of Mr Rafiq al-Hariri. During the three meetings (some of the details of which AL-MUSTAQBAL has already published), dialogue and discussion focused on three matters:

1. that the Lebanese army would not go up to the mountain until after reconciliation was achieved;
2. that Lebanon would return to a policy of domestic balance predicated on the rule of "no victor and no vanquished";
3. that the Lebanese-Israeli agreement would be canceled.

The third of these three points is the important one. For it is no longer a secret that the third demand has become, in the opinion of the Lebanese opposition as represented by the Salvation Front and its allies (Nabih Birri), the basic key to reaching a solution in Lebanon. AL-MUSTAQBAL can reveal some of the details of what went on during these meetings with regard to this point, as follows: Mr McFarlane explained to Mr Junblatt that the third point was linked to the second, and that he had to choose between:

1. canceling the Lebanese-Israeli agreement while continuing to apply the policy of "victor and vanquished,"
2. or accepting the noncancellation of the agreement and realizing the policy of domestic balance.

When the dialogue reached this point, Mr Walid Junblatt told Mr McFarlane, "At my side are friends and allies with whom I must take counsel."

McFarlane replied that he had to do likewise. The meetings stopped at this point. It was clear they had led to a relaxation of relations between Mr Walid Junblatt and the Palace of the Republic, via Dr Wadi' Haddad.

From Paris, Mu Junblatt flew to Geneva, where he met Mr 'Abd al-Halim Khaddam, the Syrian foreign minister, who was attending the international conference on the Palestinian question. From there, Mr Junblatt returned to Damascus in order to follow the disposition of his forces from nearby, especially since Israel had reiterated many times its intention to withdraw from the mountain. As for Mr McFarlane, he resumed his shuttle trips between Beirut, Riyadh and Israel.

After this meeting, other peripheral meetings were held in Cyprus. They were attended by Dr Wadi' Haddad and Ambassador Juni 'Abduh (former director of intelligence in the Lebanese Army), in addition to Mr Marwan Hamadah, who represented Mr Junblatt, and some other intermediaries. These meetings stopped when the clashes in Beirut began. The airport was closed, and it was once again impossible for some parties to the reconciliation to meet.

As the fighting broke out in the mountain, the mediation efforts increased and moved in different directions. They came from numerous sources, and were spread along the Beirut-Damascus-Riyadh-Paris line. The Americans were represented in them by Mr McFarlane, while Riyadh sent Prince Bandar bin Sultan to Damascus. Paris was represented by Mr de Grossouvre. Mr Marwan Hamadah, who has been in the French capital since last Monday, also took part. The mediation efforts focused mainly on achieving a comprehensive ceasefire as part of a plan which, though subjected to numerous alterations, remained within the following framework:

1. A ceasefire, with all forces holding their positions
2. The formation of a committee, composed of officers from the multinational force, the Lebanese Army, the Socialists and the Lebanese Forces, to supervise the ceasefire
3. The holding of a meeting between President Amin al-Jumayyil and some of his advisors, on the one hand, and the representatives of the National Salvation Front and Mr Nabih Birri, on the other. This would be followed by an expanded meeting which would be attended by the Lebanese Front and some of the other forces on the scene, such as former Prime Minister Sa'ib Salam and former Prime Minister Salim al-Huss. The French aircraft carrier "Foch" was suggested as a location for the meeting.

4. After agreement on the security situation had been reached, this committee would have to draw up a draft of the Lebanese-Israeli agreement which Syria could accept.

The final point raised a lot of questions among the Socialists, who asked for additional clarifications. Therefore, France suggested another draft solution last Tuesday which raises no problems or questions at the current time. The framework of this draft is as follows:

1. An immediate ceasefire
2. The formation of a coalition government which would include all the Lebanese factions, as a prelude to national dialogue.

Now that the situation has exploded, it seems clear that all the factions are striving right now to stop the shooting by any means, especially since the continuation of the fighting will lead to more "sectarian massacres" through an action-reaction cycle. Therefore, as AL-MUSTAQBAL has learned, King Fahd, the Saudi monarch, has asked Mr Walid Junblatt to work for a ceasefire in the mountain, so as to open the way for a political solution which will complete the efforts exerted by Saudi Arabia and France. Reports as yet unconfirmed at this writing indicated that a meeting had been arranged between President Amin al-Jumayyil and Mr Walid Junblatt on the deck of the aircraft carrier "Foch" for last Tuesday night. The meeting was somewhat successful. This report came out as the result of the arrival of a French helicopter at the Presidential Palace in B'abda. The helicopter then took off from the palace in the direction of the aircraft carrier "Foch". At the same time, Mr McFarlane was in Damascus, working to prepare the atmosphere for the attainment of a political solution in Lebanon.

It seems clear that the Lebanese-Israeli accord is still the main stumbling block to the agreement. The accord continues to hinder reconciliation. Therefore, in order to prepare the way for and facilitate the arrival at a solution, Prime Minister Shafiq al-Wazzan informed Mr Cheddi al-Qalibi, the secretary general of the Arab League, of the following last Tuesday:

1. The Lebanese-Israeli agreement is considered frozen, since it has not been signed yet.
2. The partial Israeli withdrawal took place outside the context of the Lebanese-Israeli agreement. This violation on Israel's part frees Lebanon's hand entirely.

An experienced Lebanese politician says, "Canceling the Lebanese-Israeli agreement will mean a clear victory for one Lebanese faction over another and a clear victory for Syria. Just as the policy of "victor and vanquished" has helped set off the current war over the past 8 months, so this victory in turn will amount to a new victory, which will prepare the way for a new war. Similarly, Syria's achievement of this notable political victory will cause a disturbance of the political balance in the region. Consequently, it will have broad-ranging political results, the least of which will be Israeli-American intransigence, which will keep the Israeli troops in the south for God knows how long, while pushing the Americans to withdraw their hand from the Lebanese stew. Thus,

freezing the agreement is a good way to approach a solution. It does not mean a complete victory for one side over another. Moreover, the victory won by Walid Junblatt in Bhandun gives his political presence a qualitative weight which compels all the Lebanese factions, and especially President Amin al-Jumayyil, to take Junblatt's power into account in any attempt to restructure the political situation in Lebanon."

Last Wednesday morning (as these lines were being written), battles were still raging on all fronts. There was an additional factor: the Lebanese Army had reached Suq al-Gharb. The way in which the battles are currently raging on the ground indicates that each faction is trying to achieve the greatest possible gain for itself, so that it will be in a position of political power. However, some observers, like the experienced Lebanese politician, say, "It is not permissible for one Lebanese faction to triumph decisively over another. There is an international game being played, and there are red lines which cannot be crossed. Many Lebanese leaders have paid with their lives for trying to cross these red lines. The important thing for those now playing the game of war and peace in Lebanon is to realize that the game has ground rules which cannot be transgressed."

The race going on between the political and military solutions cannot last many days longer. The domestic situation and the way in which it is integrated with the international situation in its entirety in the Middle East are pushing all the factions to make haste in arriving at a political solution which will stop the war. This time, the war threatens the existence and structure of Lebanon. When that happens, what comes will be greater still, for the region of the Middle East has been living for some time in the shadow of the Balkans.

12224

CS0: 4404/31

COOPERATION WITH WEST GERMANY DISCUSSED

Muscat TIMES OF OMAN in English 20 Oct 83 p 5

[Text]

The Federal Republic of Germany and Oman have agreed to intensify co-operation in all fields mainly economic, technology, Vocational training and defence.

This was stated by Mr. Jurgen Mollemann, West German Minister of State for Foreign Affairs at Ghubra Guest House on Saturday.

Addressing a press conference he said that during an audience with His Majesty Sultan Qaboos he delivered a personal message from President Carl Carstens.

The message, he said expressed the Federal Republic's interest in intensifying co-operation with Oman in all fields. President Carstens in his message also stressed the need for an intensified effort for a comprehensive peaceful solution of the Middle East crisis and for a rapid end of war between Iraq and Iran.

Mr. Mollmann said in talks with Oman's Minister of State for Foreign Affairs and the Minister of Commerce and Industry the two countries had shown common positions and convictions on many questions.

Both sides, he said, agreed that the co-operation should be intensified in all fields. Accordingly, a meeting of the Joint Committee has been set for Bonn at the end of the month to draw up firm plans for economic co-operation.

1984 visit

He said a large delegation of West German companies under his leadership will visit Oman next year to explore the possibility of greater German investment

in the Sultanate's private sector.

At present some German companies are working in Oman and have achieved good results but there is a need to increase their number and expand their engagement to other fields, he added.

The two countries, he said, also agreed to intensify co-operation in the field of security.

West Germany is interested in the security and stability of the Gulf region, he said adding: 'We are ready to co-operate in strengthening the capacity of the Sultanate to maintain its security.'

He said future talks will decide how the two countries can co-operate in defence.

Referring to the common position the two countries enjoyed on all international issues Mr. Mollemann stressed the needed to increase efforts to find a comprehensive and peaceful solution to the Middle East crisis on the basis of President Reagan's plan.

He said Israel should be influenced to stop its settlement policy and accept the right of self-determination of the Palestinians.

The West German Minister appealed to Arab states to support King Hussein of Jordan, whom he described as a courageous and realistic peacemaker, in his efforts for a peaceful solution. He also called for an early re-entry of Egypt to the Arab League.

He said Oman and West Germany have agreed to intensify efforts to bring a rapid end to the Iran-Iraq war which is a danger to the world peace. All super powers were obliged in a special way to

contribute to the cessation of hostilities.

Mr. Mollemeann said he had been greatly impressed by the friendship and open-mindedness with which he was received in the Sultanate.

Of his meeting with His Majesty and the Minister of State for Foreign Affairs he said: 'They are representatives of very courageous and intelligent policy that takes into account realities whether one likes them or not, and a policy that is bound to find peaceful solutions wherever they are needed'.

Replying to a question on the Iranian threat to close the Straits of Hormuz and the resulting affects of the world economy, Mr. Mollemann said that West Germany has used her contacts with both sides urging them to avoid any escalation of war.

He said that the free world will never accept the closure of an international waterway. Such a step, he said, would drag more parties in to the conflict and world peace would be endangered.

He called on super powers to concentrate their effort to end the war rather than taking sides. The supply of new arms to warring countries will only lead to the escalation of the conflict, he added.

Arms

Mr. Mollemann said his country was opposed to supply of arms to countries unless it was in the vital interests of her foreign and defence policy. West Germany is supplying arms to Switzerland, Sweden and Australia but each case was decided on merit, he added.

Referring to the Saudi request for Leopard tanks, the German Minister said the matter was still under consideration and no decision has yet been taken. The West German Parliament adheres to restrictive policy on arms supplies especially on the sale of

heavy armoured vehicles. West Germany and Saudi Arabia have however, agreed to widen co-operation in defence.

Asked about the possibility of a European initiative for a Middle East settlement, Mr Mollemann said the European Community was ready to intensify efforts in collaboration with the United States but the central point is whether Arab states are ready to support King Hussein in his efforts. He described King Hussein's plan as the last chance for a peaceful settlement.

There was a need to adopt a realistic policy as had been adopted by Oman, he said.

On the Soviet aggression in Afghanistan the West German Minister said his country opposed the invasion from the very first day — aggression which has so far seen 500,000 killed and three million homeless.

World opinion should not be allowed to get accustomed to the situation in Afghanistan and should make ever greater efforts to force the Soviet Union to withdraw its troops.

West Germany has used every opportunity to raise this question and has provided full support to countries of the Gulf Cooperation Council, Pakistan and Turkey which have been endangered by the aggression.

Asked about the West German stand on the deployment of the US Pershing missiles in Europe he said his country pleaded for reduction of arms in all fields including the medium range nuclear rocket system.

He said West Germany has offered a double zero option to the Soviet Union

The West German Foreign Minister Mr. Genscher is currently in talks with the Soviet Foreign Minister in Vienna. He hoped that the talks which are in the final stage would yield fruitful results.

SOVIET EMBASSY IN KABUL REPORTEDLY ATTACKED

Penang THE STAR in English 5 Oct 83 p 15

[Text]

ISLAMABAD, Tues. — The Soviet Embassy in Kabul came under heavy attack from guerrillas and hospitals in the Afghan capital were crowded with government troops wounded in heavy fighting in Logar Valley, a Western diplomat said today.

He said the embassy building was plunged into darkness for hours after the attack on Saturday and electricity remained disrupted today.

He said heavy fighting between Soviet-back government troops and guerrillas broke out in the valley, south of Kabul, on Sept. 25.

Meanwhile, Afghan President Babrak Karmal publicly walked through Kabul for the first time in nearly four years to prove that the capital was safe.

His heavily-guarded walk was to show "the population's supposed love for him and that it could be managed from a security standpoint," a diplomat said.

Afghan refugee sources in Peshawar said the wounded in Kabul hospitals included those brought in from Afghanistan's southern Paktia Province and Shomali, north of Kabul, where guerrillas were reported to have inflicted heavy casualties on Soviet-Afghan forces.

Western diplomatic sources underscored the precarious position of government troops in Paktia where Soviet aircraft were making at least 150 sorties a week between Kabul and Garduz, capital of Paktia, to sustain

the beleaguered garrisons there.

Soviet-Afghan forces suffered heavy losses following a guerrilla attack on Garduz on Sept. 20, the Western diplomat said.

The guerrilla success was attributed to careful planning and co-operation among various resistance groups and the successful continued harassment of Paktia-bound government troops in Logar Valley, he added.

Five armoured personnel carriers were disabled by guerrilla rockets on Sept. 24 at Khinjan, north of the strategic Salang Pass in the Shomali region, the diplomat said.

In New Delhi, a Western diplomat said Soviet forces claimed that they had killed one of six British spies installing computerised equipment in Afghanistan to feed information about Soviet troops to US satellites.

Soviet troops battling guerrillas on July 1 killed an Englishman who they identified as Stewart Bodman, reported Bakhtar, Soviet-controlled Afghan news agency.

The British Government has not received proof that Bodman ever existed and denied knowledge of the six men or their mission.

The British High Commission in Kabul also did not receive an explanation why it took more than four months for the charges to be announced. —

SOVIET JOURNALIST REPORTS ON TOUR OF AFGHANISTAN

First Report

LD212236 Moscow World Service in English 1530 GMT 21 Oct 83

[Text] Journalist Yuriy Kulikov has just returned from a tour of Afghanistan. He conveyed his impressions of the tour in a story consisting of three installments. The first spotlights his contacts with Afghan professionals. We now invite you to listen to it.

At dusk the helicopter landed at a small airfield near Jalalabad. It was getting dark rapidly. We drove to the hotel along the road that went through a small grove. As approaching it those who accompanied us grew silent all of a sudden and the driver's posture became tense. I immediately sensed that something put those people on the lookout. But what? Do you know the name of the place we are now passing through, the driver asked. It's called the nightingale's grove, he added in a tone of a person who has gone through all kinds of things in his life. But sometimes instead of nightingales terrorists bullets fly here. It's a good fire trap. This is why I always take this with me. He pointed at the automatic rifle lying between the seats. Well I think we'll slip in, a young Afghan officer joined in. Bending to me he said, 2 weeks ago guys from the Kabul television worked here. They passed through the grove many a time and nothing happened to them. But they were finally ambushed in the place out of the town which they felt to be the least dangerous. Were they killed? No, they managed to defend themselves with the help of the arms they took along as props. Are they still here?, I asked. No I think they flew back to Kabul.

Several days after when I was back in Kabul I remembered the story of the television crew and I got in touch with its members. They told me that they had been shooting a television film called the Girl in White. The film features the story of a young girl who challenged the threats of terrorists, joined in an unequal battle with them and died unsubdued. But this is what happened during the shooting of the film in the (?Bekhstud) village. The crew was approaching the abandoned fortress near the village when the film director (?and) artist (?Naji sur-Kani) said, I think there is something there. Like many Afghans he has a sharp feeling for trouble especially since he had already experienced once a terrorist attack on himself when terrorists broke into his home. This time too this feeling did not deceive (?Naji sur-Kani). Those who

were in the fortress opened fire on the approaching film people. Members of the crew engaged in choosing the site for the shooting were struck dumb. As for the bandits who arrived from abroad for them to fire on defenseless people was their usual practice.

But were they defenseless? And what about the captured American and Pakistani automatic rifles that they took along as props? The position of actor (?Mohad Yunosh) turned out to be most advantageous. Only five minutes ago he was complaining that it was difficult for him, as he was to play the role of the heavily armed leader of the terrorist band, to carry arms and ammunition on himself. But this probably phlegmatic man was far from being a coward when bullets started whining around. Protect the equipment, he shouted to the cameraman (?Hayaki) and started distributing cartridges that he wore himself between the men. They had been fighting for 2 hours until actor (?Ekhsam) sent to the nearby town brought reinforcements. By nine o'clock in the evening the terrorists were rendered harmless by the combined efforts of the television team and soldiers of the Afghan Army. A terrorist taken prisoner told that a band crossed into Afghanistan from Pakistan. The band was equipped with arms, was given instructions and supplied with money in one of the special camps there. Added to the props of the television team was a British carbine among other captured things. As for the film shooting it resumed in several days.

You have been listening to the first installment of the story about Afghanistan prepared by journalist Yuriy (?Kulikov). The next installment will go on the air tomorrow at the same hour.

Second Report

LD221945 Moscow World Service in English 1531 GMT 22 Oct 83

[Excerpt] We now present the second report by Soviet Journalist Yuriy Kulikov, who has visited Afghanistan. This time he describes a meeting with the rector of Kabul University, Dr Assadullah Habib. Dr Habib is an eminent Afghan author, in fact the first in the country to write a revolutionary play.

Dr Habib is a passionate opponent of so-called pure science, in other words a science divorced from life and its social problems, therefore he expressed his strong negative attitude when the conversation concerns a university lecturer, Faruq Etimadi, who had expressed dissatisfaction that some students attended his lectures irregularly by stating: I don't care that they are party activists. Student convictions don't concern me. The main thing is their knowledge.

But I feel that student convictions do concern me, said Dr Habib. Otherwise the educational establishment could become a stronghold of reaction and of counterrevolutionary forces. In April of 1978 the university doors were opened wide to the children of the workers and farmers. It's their revolution and they protect it from danger. They patrol the streets at night, during curfew hours, and take part in operations against the counterrevolutionary bandits. Sometimes they do that at the expense of lecture attendance but I am convinced that if a person wants to acquire knowledge he will make up for what he had to miss, all the more so since Faruq Etimadi is somewhat exaggerating things. At the examin-

ation sessions the students who are party members almost in no cases at all lagged behind in academic results.

But are there any supporters of Etimadi's views in the university? The rector pondered for a moment and then answered, nodding his head. Regretfully there are. Earlier the university was actually in the hands of the Americans. Most of the department heads and professors were educated in the West and from there they got their views. How do we get along? You will ask. Well, first of all the most irreconcilable foes of changes have left the country. And secondly we are carrying on educational work with the waverers. Now just imagine, some of the teaching staff were absolutely unaware of the scientific achievements of the socialist countries and considered there was no science or art there so we had to belatedly educate these people and we are trying to send such people on business trips to the USSR and East European countries.

But there still are enemies in hiding, bitter ones like Taraki Rusta, who set up the counterrevolutionary knowledge front and maintained close ties with the bandits, who come into Afghanistan from abroad, mainly from Pakistan. There are fewer and fewer of such, Dr Habib pointed out, and I'd like you to know that Rusta's subversive activities, which were rather quickly curbed by the security forces, did not manage to have a telling effect on the work of our educational establishment. The students are engaged in normal studies. Not a single lecture was disrupted.

Final Report

LD232052 Moscow World Service in English 1531 GMT 23 Oct 83

[Text] Next this story about Afghanistan by the Soviet Journalist Yuriy Kulikov, recently back from there. This time he tells of meetings with Afghan intellectuals who have turned against the revolution and this is what he writes.

One Sunday, in Nangarhar Province, a group of people were stopped at a checkpoint on the highway leading to Pakistan. They were identified as the family of an instructor at Kabul University by the name Habib Rahman. Though the head of the family explained that they were just taking a walk the many house furnishings they were carrying aroused suspicion. It was discovered soon that a few days before Habib Rahman had sold his villa in Kabul for nearly 500,000 Afghanis. The money was not with him, however, and his sons blurted out that it had been given to a foreigner to take to Pakistan. It became clear that the family meant to cross the border illegally.

Later Habib Rahman admitted that he was a member of an underground organization. He gave the real names and conspiratory names of its members. The affair appeared to be serious. Habib Rahman said that one of the leaders of the organization was a colleague of his, Doctor of Law Taraki Rosta, at Kabul University. The very same day the authorities searched Dr Rosta's car and found anti-government leaflets, rough copies of these in Rosta's handwriting and a tape recording made by Rosta in which he called on the counterrevolutionaries to unite and fight against the government.

Taraki Rosta comes from an aristocratic family. Before the revolution his father was a minister and a member of parliament. Taraki Rosta studied in France for 7 years, got his degree and returned home full of knowledge and arrogance toward his downtrodden and illiterate compatriots. He felt the utmost contempt for the revolution of 1978 but as the progressive changes gained momentum and he saw that the revolution was not doomed after all he grew anxious then angry and finally decided to go underground to fight it.

Two days after his arrest the BBC and the Voice of America raised hue and cry, claiming the Afghan authorities had taken into custody an innocent scientist who was far from politics so I decided to meet with Taraki Rosta in the course of the investigation. The person who entered the investigator's office was a stocky, balding man with a satiated expression on a well cared for face. He smiled and lit a cigarette. He was calm and nearly friendly and I even felt a bit envious of his self control because he could not but hate the young officer who was a representative of the government he had been fighting against. Rosta admitted his organization had its rules and program and he briefed us on its plans. But, unlike detained in Nangarhar Province [as heard] instructor Habib Rahman, he did not plead guilty to anything. When asked what the purpose of his organization was he snapped out, in military fashion, to unite with counter-revolutionary groups and seize power.

As I listened to him I kept wondering how a refined intellectual with an aristocratic background could be so ready to fight for power, so unscrupulous about the means to be used for this. Dr Rosta, it was established, had close links with counterrevolutionary bandits and relied on their weapons and ferocity. He also relied on the groups abroad that had been instructing the bandits and providing them with money and weapons. But the small group of conspirators he was the head of, Rosta realized, could not carry out their plans by themselves. In addition, despite all his calls for unity, his group was falling apart. Little wonder that his colleague, Habib Rahman lost all hope for success of illegal activity, sold his house and decided to flee the country.

CSO: 4600/93

SUPERPOWERS ACCUSED AS 'MAIN FACTORS OF SADDAM'S CRIMES'

Tehran ETTELA'AT in Persian 2 Oct 83 p 3

[Text] Qom--His Holiness, the high-ranking jurist theologian, the Grand Ayatollah Montazeri met in Qom with a group of self-sacrificing Islamic Revolutionaries and the families of martyrs from various parts of urban and rural areas of the country.

According to a JOMHURI-YE ESLAMI's report, during this meeting, he praised the audience, and he pointed out that all the hardships and difficulties must be considered as an ordeal for the servants of God. Ayatollah Montazeri said: "No doubt this imposed war which has lasted more than 3 years is indeed God's ordeal which has been placed on all Muslim classes and stratum."

He pointed out the crimes of Saddam and his masters, and the self-sacrifice, resistance and devotion of the Iranian nation against these crimes. The high-ranking jurist theologian said: The degree of resistance and devotion of our nation, especially those who are living in the southern and western border towns are demonstrated in this ordeal against the atrocities of Saddam and his masters which proved their filthy natures. However, it has also showed that to what extent, they are devoid of all human values by their missile attacks on defenseless people of Dezful and Andimeshk at night, destroying their homes and massacring women and children, the inhabitants of these two cities.

The Grand Ayatollah then referred to the crimes of the superpowers especially the world-devouring United States, and the intriguing silence of the so-called Human Rights Organization, an affiliate of the world's arrogant powers. Furthermore, he stressed that the superpowers, who in order to deceive the masses, are bragging about peace and humanity; were the major forces behind crimes of Saddam in the region. Of course, we did not expect other than this from the United States and France, their position is clear.

Directing his remarks to those who have been allured by the false slogans of the superpowers of East, Ayatollah Montazeri said that the Soviet Union had supplied Saddam with 9 meter and 10 meter missiles in order to be able to carry out his crimes and brutal assaults to destroy our resistant cities. So, it is the duties of our youths to become vigilant and to identify enemies of the Islam and the Revolution.

As for the conduct of the mini-groups who claim to be defending the rights of people inside the country, His Holiness the Grand Ayatollah Montazeri said that people of the country were fully aware of the real nature of these mini-groups and knew that they have been serving interests of the superpowers. Our people have experienced that these groups have done nothing but damage and inflict blows on the Islamic Revolution by assassinating the valuable personalities and individuals and ablazing the harvest of the farmers. Further, he said: In Kordestan we have noticed that everyday atheist groups who claim to be pro popular, are brutally martyring the Kurdish revolutionary clergymen who are respected and popular with the people there. This causes grief to our Kurdish Muslim brothers and sisters.

At the conclusion, the Grand Ayatollah Montazeri said that all these incidents are an ordeal for our nation and it is a means to their alertness and further resistance. Also he added that if these incidents, catastrophies and war did not exist, our dear and brave youths' talents and merits in the army, guards corp and mobilization units could not have been dehiscented, and we would not have been aware of their sacrifices and devotions. May God bless all of them and may forbearance and reward be bestowed upon our nation. May God joins our dear martyrs along with the other martyrs of Islam and associate them with His Great Prophets and Saints.

According to the same report, Fazel Harandi, the Superintendant of Land Distribution Headquarters, Esmail Ferdowsipur, the Representative of His Holiness the Grand Ayatollah Montazeri in the Tehran Training Academy of Theology and the officials of the administrative and revolutionary organs of Paveh Province met with Ayatollah Montazeri in Qom and discussed topics about their responsibilities related to the regions that they have been assigned.

CSO: 4640/13

COPENHAGEN EMBASSY PROVIDES CASE STUDY OF ANTI-EXILE MEASURES

Copenhagen BERLINGSKE TIDENDE in Danish 9 Oct 83 Sec II p 7

[Article by Steffen Jensen]

[Text] Telephone threats and other acts of spite are daily experiences for exiled Iranians around the world. In the land of the ayatollahs only one faith is accepted and if that is not adhered to, an Iranian exile faces big problems. This article describes how the Khomeyni regime operates in Denmark.

It was the weekend when the rain came. After a long dry summer with lots of sun Sunday, 4 September, was a dreary, depressing gray day with rain showers.

Around 5 o'clock pm, the regular SAS plane from Karachi to Copenhagen asked the control tower in Copenhagen for permission to land. The SAS plane--known on the radio as Flight SK 976--landed as scheduled at 5:25 after a 6-hour flight from the capital of Pakistan.

But at least one of the passengers was not paying much attention to the landing of the DC-8. That was 22-year-old Ahmad Zolanwar. He did not even know he was on his way to Denmark. With bandages around his severely injured head he was lying unconscious in the rear of the Danish airplane.

The young Iranian, who was lucky enough to get out of Iran, lived in Pakistan where he supported one of the strongest anti-Khomeyni groups in his homeland--the Mojahedin movement.

On one Tuesday toward the end of August, he was brutally run down from behind by a motorcycle driven by an employee at the local Iranian Embassy. With serious injuries, Ahmad Zolanwar was brought to the hospital in Karachi where two brain operations were performed on the young Iranian. When the Pakistani doctors could not do any more, the UN's High Commissioner for Refugees asked Denmark to take Zolanwar in.

Martyrs

A journal was started on the injured Iranian on 4 September at Glostrup County Hospital. The journal describes his condition as: "Severe brain injuries...brain edema--buildup of fluid outside the brain." Two days after the journal was started, Ahmad Zolanwar died from the injuries he had received. "Violent injuries with blunt object while still alive... very possibly as a result of being run over," the autopsy report reads. The Iranian freedom movement can add one more name to the already long list of martyrs.

Ahmad Zolanwar is just the latest victim of the Ayatollah Khomeyni's war of terror against exiled Iranians who oppose him. Wherever they live in the world, an eye is kept on them. The ayatollah's diplomatic representatives report to the Iranian Foreign Ministry on all Iranians they consider critical of the Islamic rule.

From the fourth floor of Gronningen 5--an innocent-looking large residential building in downtown Copenhagen--Iranian exiles living in Denmark are kept under surveillance. The tiny Iranian Embassy, which has only two diplomats accredited by the Danish Foreign Ministry--a new ambassador will probably be accredited this week--has no less than six Islamic revolutionary guards attached to it, according to sources who for natural reasons did not want their names published. The Iranians living here, many of whom have received telephone threats, call them "gorillas." Although the "gorillas" do not show up at the embassy on a daily basis, Iranian exiles in Denmark have no doubt as to who is behind them.

Threats

So far there have only been telephone threats here in Denmark. But local Iranian exiles still feel so threatened that the burial of Ahmad Zolanwar in Vestre Kirkegaard took place in deepest secrecy. They did not want to give Khomeyni's agents a chance to add new names to their already long list of successful assassinations.

At a similar funeral in the Philippines, Khomeyni's people threw a hand grenade into the group of mourners. Two were killed and over 30 injured. In addition to Pakistan and the Philippines, Khomeyni's people have been in action in India, Italy and West Germany.

A former diplomat at the Iranian Embassy in Copenhagen told BERLINGSKE TIDENDE that the embassy's job is to conduct public relations activities in Denmark, but that work has practically come to a standstill and the only material the embassy has is written in Persian or Arabic.

"But in any case this material is so childish that it would seem ridiculous to most Danes," said the diplomat who preferred to remain anonymous. "Another of its jobs is to issue visas and renew passports and identity

papers. But there are several examples of Iranians not having their passports returned after turning them over to the embassy. I remember that instructions came from Iran to list the names and addresses of all Bahais and 'counterrevolutionaries.'

Informers

"If a critical Iranian student is found, he is deprived of his grants. Then he is contacted to see if he has repented. If so he is allowed to sign a document. After that he can be used to inform on other students.

"Everybody at the embassy is afraid. No one knows what someone may have reported about him. No one dares say anything. The whole system is based on fear."

That critical diplomats are not exactly the ayatollahs' favorite people can also be seen from the fact that four out of five charge d'affaires at the Iranian Embassy in Denmark chose to defect rather than return to Tehran. One now lives in London, another in Stockholm. One is in Germany and one in Copenhagen. The first ambassador after the revolution, Mr Entezan, was recalled. He was given a sentence of life imprisonment and has now been executed.

Rights

The Danish Bahai congregation has its headquarters in Hellerup, north of Copenhagen. This is one of the places where people keep a close watch on what is going on in Iran. There are 300,000 Bahais in Iran and they are systematically persecuted.

"The Bahais in Iran are deprived of the most elementary human rights," said Lise Raben, who is press secretary for the Danish Bahai congregation. "They are persecuted, tortured and executed. Their situation is very reminiscent of that of the Jews in Germany up until World War II."

The figures are unreliable, but the number of executed Iranian Bahais is close to 200. During the summer 17 Bahais were executed.

"We are accused of the most incredible things," said Madame Mashid Fatio, the permanent Bahai representative at the United Nations in Geneva. "We are accused of everything from being agents for Savak--the shah's old secret police--to being spies for the Americans or being Zionists helping Israel. None of this is true. No proof has ever been presented that a single Bahai took part in any of these things."

"Some of our holy places are located in Israel," Lise Raben explained. "That is why we are called Zionists. But that is absurd. Our holy places were there long before the state of Israel was founded."

"Bahais are persecuted solely because they belong to the Bahai sect," said Madame Fatio. "Iranian laws on public employment exclude Bahais from holding official positions. We have Iranian documents that show that the Supreme Court will dismiss Bahais and reinstate them only if they first convert to Islam. Numerous examples could be given. It is no secret in Iran. These things are openly reported in the newspapers."

"On 29 August the Iranian government banned any form of Bahai administration in Iran," said Lise Raben. This means that all Bahais can now be arrested and executed for no other reason than that they are Bahais. "The ayatollahs do not accept any religion that came about since Islam. That is why they do not recognize the Bahais."

"It is quite important for the Bahai community that these councils can function," said Madame Mashid Fatio. "There is a Bahai council in each town and they are responsible for marriages and a number of other vital functions, for example. Without our councils, Bahai cannot function."

"But Bahai also has a tradition of being loyal to a nation's government. That is why we obeyed this demand immediately. We never organize politically."

But Lise Raben has no doubt that her fellow believers in Iran are threatened. "There are 300,000 Bahais in Iran. How can they get out? They cannot all flee on foot across the border. Some of them send their children out of the country so they at least are safe, but we are very anxious about the fate of the rest."

"In Iran resistance to the Khomeyni regime is growing from one day to the next," said Mohammad Hosseini, who works for the Mojahedin resistance movement in Paris. "The Friday prayers, which used to gather millions of Moslems, get only 10-20,000 today. But in return they are given cards that assure them of preferential treatment when they buy rationed food products."

"The annual Palestine Day, which has been one of the regime's big parade features, had to be called off this year because there were not enough people to take part," said Mohammad Hosseini.

There have been several disturbances in the poorer districts--many of which lack both electricity and water. Annual inflation has risen to 400 percent. According to American intelligence sources, the war with Iraq has claimed as many as 500,000 victims and around 600,000 wounded. This has affected every family in Iran. War invalids are a common sight--150,000 wheel chairs have been ordered from Germany.

But although resistance groups report rising dissatisfaction among ordinary Iranians, the ayatollahs' bloody regime continues its carnage unchecked.

At the end of September, Amnesty International--which normally supplies very reliable information--reported that the organization now has proof that political prisoners are being secretly executed in the Iranian jails. This leads Amnesty to conclude that the total number of executions since the revolution must be regarded as substantially higher than the 5,000 indicated by the official figures.

The Mojahedin movement has identified the names and addresses of 7,746 people who have been executed. But the movement is afraid that the total number of those executed since the ayatollahs took power is close to 30,000.

Executions

Former prisoners in Tehran's Evin Prison have told Amnesty International that they could count the nightly executions in the prison yard.

"If there was continuous shooting, one knew that it was a fictitious execution," said a former inmate, "but if one heard a single shot at the end, it was a real execution. In general we heard between 30 and 60 shots of this kind a day, but there was no regular pattern."

The Khomeyni regime has never concealed the bloody practices of the Islamic courts. After the Islamic revolution, the local Iranian Embassy could decorate its walls with bloody pictures of executed people and other convicted people who had had limbs hacked off. "To inspire fear and serve as a warning as well as for general edification purposes."

In 1983 alone at least 450 opponents of Khomeyni were executed in Quimiah Prison in Tehran. The ayatollah's latest macabre detail is to first drain blood from those sentenced to death. The almost 3-year-long desert war against Iraq has created a shortage of blood plasma. Some reports even say that people given a prison sentence who have a very rare blood type have been executed anyway.

6578

CSO: 3613/24

NEPAL

BRIEFS

KING ACCEPTS CREDENTIALS--The ambassador of the Socialist Republic of the Union of Burma, U Aung Myo; the ambassador of the DPRK, Chang Kwang-Son; the ambassador of the United Kingdom, (A. G. Harold); and the ambassador of Austria, Mr E. M. Schmid; presented their letters of credence to his majesty the king at separate ceremonies at the Narayanhiti Ropayl Palace on 2 November. [Excerpt] [BK050425 Katmandu External Soviet in English 1450 GMT 2 Nov 83]

CSO: 4600/94

PAKISTAN

MUSLIM-U.S. MILITARY RELATIONSHIP EXAMINED

Karachi JANG in Urdu 10 Oct 83 p 3

[Article by Irshad Ahmad Haqqani: "Military Exercises of the U.S. Rapid Deployment Force"]

[Excerpt] The Government of Pakistan has officially stated many times that it will not provide any facilities to the rapid deployment force of the United States, but since the United States has declared that Pakistan falls within the region covered by the former's military activities, we Pakistanis are naturally interested in these activities. Negotiations between Pakistan and the two important American delegates, Mr Shultz, the secretary of state, and Mr Weinberger, the secretary of defense, were perhaps limited to issues of mutual interest as declared by our government, but the visits of these two high American officials leave the Pakistani people wondering about U.S. interests and policies in this geographic region.

The U.S. Government these days is giving special attention to the organization and training of its rapid deployment force. Despite the declaration that there is no connection between the U.S. rapid deployment force [RDF] and a rapid deployment force established as the result of the defense pact enacted by the Gulf states, informed circles and actions indicate the contrary. Whatever the truth, one cannot deny the relationship between the U.S. RDF and these Muslim countries, especially Egypt. For example, the participation of Egypt, Sudan, Somalia and Oman in the RDF exercises conducted between 10 August and 10 September is no secret even though efforts were made to keep these exercises a secret. Egypt was in the forefront in these exercises and cooperated in the goals of the exercises. The Egyptian Government tried to show its interest in these exercises, known as "Bright Star," because it wanted to acquaint the U.S. Army with the situation in the Middle East so that the United States could protect its interests in the Gulf countries in an emergency. According to the U.S. Department of Defense, the main purpose of the rapid deployment force is to help the friendly but not well-organized countries in that area, protect U.S. and Western interests in Third World countries and limit Russian influence in this area. Joint exercises of this army unit have taken place in 1980 and 1981. Last year, Egypt refrained from participating in these exercises because of angry Arab feelings caused by the Israeli aggression in Lebanon and because the Egyptian

Government did not want to be known as a collaborator of Israel's protector. Egypt, however, did participate in the exercises this past August and September.

According to reliable information, 5,500 U.S. sailors and airmen participated in this great exercise and an equal number of Egyptians took part. The United States is taking rapid steps to facilitate this army unit. According to one report, huge amounts of money have been spent to build or modernize airbases in Egypt, Oman, Somalia and Kenya. THE WASHINGTON POST on 24 June reported the construction of new airbases in Morocco, Turkey, Liberia and Egypt. According to the paper, 100 U.S. pilots and a large store of ammunition and arms are stationed at an airbase built in a remote and uninhabited region of Egypt. AWACS planes fly from there. Four thousand American soldiers are also stationed in the Sinai Desert. They can cooperate with the RDF in an emergency. Preparations are underway for an RDF Unit at the Diego Garcia naval base in the Indian Ocean. It is also obvious that the USSR is also giving full attention to its military preparedness. Thus, this area is becoming an important arena for the two superpowers in their tension and military readiness. The countries in this region cannot be too careful about avoiding involvement in this struggle. But we cannot foresee what kind of pressures will be applied in an emergency and what results there will be. Pakistan, which has one of these superpowers on one of its borders, must be extra careful.

7997

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PAKISTAN

KHAN OF QILAT DISCUSSES POLITICAL SITUATION IN BALUCHISTAN

Lahore NAWA-I-WAQT in Urdu 1 Oct 83 pp 9, 12

[Column by Aziz Bhatti: "Letter from Quetta: The Khan of Qilat Is Ready To Use His Influence"]

[Excerpts] Zafar Jamal has been appointed an officer of Quetta's Jamaat-e Islami. He moved to Quetta from Jhang only 2 months ago and started his business here. Political circles are debating whether Zafar Jamal was especially "imported" from Jhang to take up the leadership of Jamaat in Quetta. If so, was it necessary?

Only a prominent leader of Jamaat-e Islami can answer this question. We cannot ignore the fact that despite the suspension of Jamaat-e Islami's regular organization in Quetta, this group has been kept not only alive but politically active as well. Another noteworthy and thought-provoking aspect of Jamaat-e Islami is that for the first time in its history young people are in positions of leadership in Baluchistan. The influence of Jamaat's leader, Maulana Abdulhamid Mengal, and General Secretary Iman Allah Baluch, is noteworthy. They are at least heard, if not followed.

Among those who are heard as well as followed in the tribal areas of Baluchistan, is the Khan of Qilat. The late Amir Ahmed Yar Khan was a historic personality. He was the last in a long line of Khans who ruled Qilat for about 500 years. Like other successors of various states, he was given privileges and a pension after his state became a part of Pakistan. The late Khan was also the governor of Baluchistan. During the last regime, when it was announced that the privileges of erstwhile princes would be revoked, it was decided to award fixed annuities to the successors who were then still alive. Their heirs or children, however, were not to receive any annuity or income. Among these princes, only Jam of Lasbela Mir Gulam Qadir is still alive. Because of the above decision of the government, Mir Daud Khan of Qilat, who is the successor and eldest son of the late Khan, is not receiving any income from the government. One of the Khan's brothers, Prince Mohi'uddin Baluch, is the federal minister for communications.

Recently, we interviewed Mir Daud Khan of Qilat at his residence at No 1 Saryab Road. He talked openly about various matters and said that should

the two sides desire, he was willing to use his influence to bring the government and the politicians together. He complained that the agreements reached between the founder of Pakistan, Quaid-e Azam, and his father, Mohammad Amir Yar Khan, should be respected. He did not elaborate on this issue, but mentioned that he was planning to ask the federal court to reinstate his property, i.e., land, buildings and orchards in the state.

Praising President Zia and Baluchistan's Lieutenant Governor, Gen Rahim-uddin Khan, the Khan of Qilat said that Baluchistan was never as peaceful as it has been during the rule of this government. Pakistan is fortunate that there is peace in Baluchistan. The Khan of Qilat added that Pakistan was established on the basis of the Muslim philosophy and the common factor in the unity of the four states was the religion of Islam itself. He said Pakistan was also a democratic country and democracy was imperative. But for democracy in Pakistan, various nationalities will go their own way.

The Khan of Qilat added that he had sent messages to Nawab Khair Baksh Marri and Sardar Ataullah Mengal to bury their political differences and return from self-imposed exile to serve the nation. How the Khan of Qilat established communications with these two leaders was not explained, but Sardar Mengal has had telephone contact with liberal politician Nawab Akbar Bugti. It was also learned that Mengal, who is living in London, has established telephone contact with Nawab Khair Baksh Marri who is living in Kabul. Sardar Mengal informed Nawab Akbar Bugti about Wali Khan's return to Pakistan and explained about the document that was prepared by Sardar Mengal and certain other Pakistani politicians.

Nawab Bugti spends most of his time at home these days and suffers from fever. According to him he suffered from a similar fever when he was in jail and it lasted a whole year. Nawab Bugti, despite to being indisposed, holds an informal assembly every evening in his living room to discuss political and tribal topics. Various politicians and tribal leaders also come to visit him. Among his recent visitors were the interim central president of the defunct PNP [Pakistan National Party] and Dr Abdulhayi Baluch, erstwhile MNA [Member, National Assembly] and now vice president of the Provincial PNP. Dr Abdulhayi also gave him a message from Mir Ghaus Baksh Bizenjo.

Nawab Bugti does not know seven or eight languages like other politicians. He therefore has problems communicating ever since he has eschewed Urdu. He does not speak Brahui which is the language of most Baluchis, nor does he know Pushtu. He can speak and understand Punjabi, however. Thus, visiting Pathans often have to use Punjabi to communicate. In spite of these problems, Nawab Bugti is not ready to give up his boycott of Urdu. He does, however, enjoy knowing the news published in Urdu newspapers, so someone around him translates these items from Urdu into English, Baluchi or Punjabi.

7997

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PAKISTAN

INTELLECTUAL JAFFRI DISCUSSES LIBYAN SUBVERSIVE ACTIVITIES

Lahore CHATAN in Urdu 13-19 Sep 83 pp 19-22

[Interview with Prof Maqsud Jaffri by Yunus Khalsh: "Self-seeking Elements Busy Conspiring Against Pakistan in Libya. Capitalism and Communism Are Abnormal Systems"]

[Text] Prof Maqsud Jaffri teaches English literature at Golden College, Rawalpindi. He is a lecturer in English and is also well known for his fiery speeches and engaging narration in Urdu and Persian. Besides this, he is the author of a number of books in Urdu, Persian and English. Professor Jaffri is just back from a visit to Libya, which has given rise to all kinds of suppositions in Islamabad circles. Some say that Professor Jaffri cannot be trusted, some are pointing fingers at him, some say one thing and others say something quite different. I interviewed Professor Jaffri to find out what he has to say for himself. Our conversation was not about poetry, literature and political philosophy but was limited to Professor Jaffri's visit to Libya. Professor Jaffri, giving a detailed account of his visit, said that some time ago the Libyan Embassy in Pakistan gave Pakistani intellectuals various subjects to work on and also asked them to write articles on Colonel Qadhdhafi's famous work, the "Green Book." Subjects entrusted to me were religion and life. I worked on these subjects zealously with the idea of bringing to the international stage the truth about Islam and an elucidation and explanation of the concept of Islamic ideology. By the grace of God I was rewarded in my endeavor. I was given the opportunity to address about 3,000 intellectuals and journalists who had come to Libya from all over the world." Jaffri said that the four men invited to attend the conference in Benghazi left Rawalpindi together. He said that besides himself, the other three were Prof Mohammad Siddique Chima, Sagheer Kamran and barrister Chaudhri Abdurrahman. On reaching Libya, he said that they also met labor leader Mr Rahim and an advocate, Zafar Mahmood, as well as Bashir malik, said to be persecuted by the present Pakistani Government and currently employed at the Libyan Embassy in the Philippines; all these men were the guests of the Libyan Government. Continuing his interview, Professor Jaffri said that participants in the conference were greatly impressed with his speech and Libyan newspapers gave prominence to his speech and published his picture along with the speech. Professor Jaffri said that the intellectuals in Libya naturally showed a keen interest in him. He said that being a Pakistani, he consciously tried to convey to the higher Libyan authorities the fact that

the people of Pakistan were their good friends and that we are closely bound together by strong religious bonds. He said that everywhere he talked about the ideologies of Qadhdhafi and Allama Iqbal and spread Iqbal's ideology among Libyan scholars and intellectuals.

[Question] Your book entitled "Falsafa-e-Ruh" (Philosophy of the Soul), published in English in 1974, was dedicated to Colonel Qadhdhafi and your recent publication, "Gosha-e-Qafas" (Corner of the Cage), contained a poem called "Libya's Green Revolution"; could you explain your attachment to Libya?

[Answer] From my childhood I have studied various religions and different social systems throughout the world. The Holy Quran and Allama Iqbal's poems constitute the core of my thinking. In 1974, when my book "Falsafa-e-Ruh" was published, Colonel Qadhdhafi was just becoming famous as a bold and daring revolutionary Muslim in the Islamic world. I saw in him the qualities envisioned in Iqbal's (Concent of the) falcon, and being impressed by these qualities, I dedicated my book to him. This was merely an expression of emotional outlook and had nothing to do with politics or personal gain. As far as the poem on "Green Revolution" is concerned, let me state, that I do not believe in the extremist systems of either the East or the West. Capitalism as well as communism are both unnatural and I value anyone who tries to explain Islam from the revolutionary point of view to meet modern demands. In my book "Gosha-e-Qafas," where I wrote verses on Colonel Qadhdhafi, I also wrote verses about Imam Khomeyni and Yasir 'Arafat because these men, living under special circumstances, have remained true and devout Muslims, and I see elements of faith in their writings. It is my honest and sincere opinion that the people of Libya and Colonel Qadhdhafi personally love Pakistan and its people a great deal. But it has been our national misfortune that some selfseeking Pakistanis are bent on creating misunderstanding between the two countries for the sake of their personal interest and gain. In fact, these people not only wish to damage relations between the two countries but are actually responsible for the worsening of the situation. Mr Shahhati, who was the general manager of the first international conference in Libya and chairman of the "Green Book," was also a very trustworthy friend of Colonel Qadhdhafi and was considered his adviser as well. I met him in his office and this meeting lasted 1½ hours. During the course of the conversation, I tried to erase the misunderstanding created between the two countries and to a great extent I was successful, too. Mr Shahhati, by way of reproach, asked why the Government of Pakistan had closed the office of the Pak-Libya Brotherhood. In his view, this was an arrogant action on the part of Pakistan. But I explained to him that the main objective of such cultural and literary centers is the advancement of learning and culture, not interference in the politics of the country in which centers are located. When Mr Shahhati asked me to explain further, I told him that a so-called political worker who was a member of one of a defunct political party in Pakistan had started using the center for his own personal aims and that those offices had become centers of lust and pleasure. Instead of learning and literature there were indications that they were being turned into centers of obscenity and indecency. Young students were being gathered together under the flags of various organizations. Conspiracies had begun to

thrive in those centers and one of the Libyan diplomats was also involved. I told Mr Shahhati that the Libyan diplomat had asked me to undertake subversive activities and offered me a bribe and that I told him that he should not interfere in the internal affairs of our country as this would disrupt relations between two Muslim countries. Finally, our government arrested these subversives, who disclosed that a responsible Libyan official had persuaded them to engage in subversive action and had even helped them financially. I asked Mr Shahhati if the Pakistani Embassy were to help youths against Colonel Qadhdhafi verbally or practically, would our embassy not be closed down. But our government did not close your embassy and when Colonel Qadhdhafi's adviser, Rajah Sassi, visited Pakistan and met the Pakistani president and talked to him about the aforesaid cultural center, the president very magnanimously reopened the center as a gesture of friendship. Fakhruddin Habib, a member of the Federal Advisory Council, was appointed director of the centers with the approval of both the governments as a mark of appreciation for his dedicated services to Pakistani-Libyan friendship. Professor Jaffri said that Mr Shahhati appeared quite satisfied with the detailed explanation.

Maqsud Jaffri, asked to give a detailed account concerning the two men who were supporting the subversive elements, said that as a true Muslim and a sincere Pakistani it was his religious duty to follow the word of God. He said that he had never obtained any personal or financial help from the Libyans; he merely shared their ideology. He said he believed it to be his national duty to reveal the names of undesirable persons. Dr Ali Almunish, the secretary of the Libyan Embassy whom we call the ambassador, is a statesman and a sincere Muslim of temperate disposition. He is a personal friend of mine. I never found him to be involved in any subversive activity. But the person about whom I wish to speak is Yusuf Shakufah, counselor for cultural affairs. This is the person who organized Bazm Abu Zar Chaffari, and it was under the cover of this organization that young men were recruited for subversive activities. Today, those young men are in prison. I was also offered the chief patronship of this organization, but I refused the guardianship of an organization involved in terrorist activities. When Maqsud Jaffri was asked how he knew that the organization was engaged in subversive activities, he said that he knew the youths who were involved in the organization were members of a defunct extremist party. He said that was why he refused to be the patron of the organization. Maqsud Jaffri, explaining his aims and objectives, added that besides Yusuf Shakufah, a Pakistani by the name of Sagheer Kamran is also involved in subversive activities. He said that this man has affixed the word "Dr" to his name even though he is neither a bachelor of medicine and bachelor of surgery nor a PhD. People say that at one time he was a pharmacist at a railway clinic. By virtue of his connection with that clinic, he has become a doctor. He said that when martial law was imposed in 1977, Sagheer Kamran was expelled from the Red Crescent organization. According to Sagheer Kamran himself, he met the Libyan ambassador, Nasr Ali Ashur, in 1977 and together with him opened the offices of the Pak-Libya Brotherhood. Then again Sagheer Kamran acknowledged having taken Begum Nusrat Bhutto's letter of recommendation to Libya. It stated that not only should cultural centers be established in Pakistan but that Sagheer Kamran should be made the director general of

these centers. Nasr Ali Ashur, who was given to a life of gaiety and pleasure, helped Sagheer Kamran diplomatically and in the end succeeded in his design. Maqsood Jaffri added that during Nasr Ali Ashur's term as Libyan ambassador to Pakistan, Sagheer Kamran used to send people to Libya alleging that they were being persecuted by the martial law government and that they should be given political assylum. In this way, he gained wealth with both hands.

[Question] It is being said in the different parts of the city that while you were in Libya, relations between you and Sagheer Kamran became strained. What was the reason for this tension?

[Answer] When the Libyan Embassy invited me to participate in the conference, I accepted the invitation with the idea of working to lessen tension between the two countries. The embassy had promised to provide all members of the delegation with plane tickets in accordance with their wishes. When Yusuf Shakufah asked me about the air route, I told him that after the conference I would like to go to London for a medical check-up for my stomach ailment and that on returning from London I would like to give myself the happiness of performing Umra. Mr Yusuf Shakufah promised to get me the plane ticket for the desired itinerary. But what is most surprising is that at Tripoli, all of the Pakistanis were given tickets for the routes they wanted and I alone was sent back to Pakistan. Mr Rahim left for France, Professor Chima adn Zafar Mahomed proceeded to London, barrister Abdurrahman went to Switzerland and Sagheer Kamran remained in Tripoli for several days as Nasr Ali Ashur's guest. Mr Shakufah and Sagheer Kamran treated me very shabbily and sent me back. I have now heard that Sagheer Kamran has been spreading rumors about me, saying that I was caught drinking and fooling around with girls. He is perhaps spreading these rumors because people know me as a poet and poets are known for their weakness for pleasure and indulgence. But he said that Sagheer does not know that the sources of my poems have always been the Quran and the works of Iqbal. He said that by the grace of God he has never been a victim of such weaknesses in Pakistan, so how could he give such an inaccurate impression in Libya, particularly as there is no trace of liquor in Libya, so how could he indulge in drinking in that country. He said that the real reason behind strained relations with Sagheer Kamran was that since the latter has been visiting Libya regularly he has established a relationship with some Libyan officials on a personal basis. On the one hand he has been benefiting financially from them while on the other he has been using unbecoming language against the present government in Pakistan and has been presenting himself as an oppressed person. According to Maqsood Jaffri, at a gathering where responsible Libyan officials were also present, Sagheer Kamran went so far as to say that in Pakistan whoever talks about Qadhdhafi is not only arrested but is flogged and has his property confiscated as well. Libyan officials were surprised when they heard such accounts and expressed their anger against the Pakistani Government. But Professor Jaffri said that he intervened and told the Libyan officials that Sagheer Kamran was lying and that he himself had written a poem about Colonel Qadhdhafi and that even though he is a responsible official in the department of education of the Government of Pakistan, no action was taken against him by the government. This enraged Sagheer, and right in the presence of everyone he

started shouting and abusing me by saying that I have a personal friendship with Pakistani ministers and that I came on a spy mission to Libya at the suggestion of Gen Ziaul Haq, so why should the Pakistani government say anything to me. One day Sagheer Kamran brought to tea some friends of the Pakistani Cultural Center residing in Libya. Those people form the vanguard of the campaign against Pakistan. Dr Sajid and Dr Akhtar Aawan head the list of mischiefmakers who have been working against Pakistan's stability on the international stage. Sagheer Kamran has close, secret relations with these people. They collect donations from like-minded people to provide money for Sagheer Kamran's subversive activities. Sagheer Kamran promised to work for the Soviets and Babrak Karmal's government in my presence and talked about the possibility of running an underground movement against Pakistan with arms and ammunition obtained from tribal territories. When my opinion was asked, I became angry and rebuked the Soviets and Babrak Karmal, and I cursed those elements hostile to Pakistan. Sagheer Kamran was greatly annoyed and abused me. I saw that the situation was worsening and heading towards a scuffle, so I walked away in protest. These are the reasons for the strained relations between Kamran and myself. The most surprising part of the whole affair was that hardly had a few hours elapsed when Yusuf Shakufah came up to me and said angrily that he had misjudged me and that I had insulted Sagheer Kamran and that he would not give me a ticket for London and Jidda and that I would have to go back to Pakistan. I told him that I would consider myself fortunate if I reached my country safely without getting entangled in the intricacies of his conspiracies. But Sagheer Kamran kept on threatening me, saying that I did not know Libya, that Libyans had kidnapped Imam Musa Ibne Saddam and had assassinated him and that I was nothing compared to him. He said that Yusuf Shakufah was displeased with me and that I should now pray for my safety. Maqsood Jaffri said that he had no cause for complaint against any Libyan officer. However, he said, Yusuf Shakufah, the man responsible for all this drama, is a very suspicious person. Look at the extent of his meanness. Only a few months earlier, Yusuf Shakufah bought from me 200 copies of my book of poems "Gosha-e-Qafas"; the cost of these books, amounting to 6,000 rupees, is due from the Libyan Embassy, which has not paid. It appears that as a result of the displeasure of Yusuf Shakufah, I have forfeited that money. Maqsood Jaffri, in speaking of Libya, referred to one other incident relating to Professor Saeed Siddiqi, who is a friend of Pakistan and these days is working in Libya. One day he came to Tripoli to see us and said that at Benghazi, where the conference was held, we had promised to see the Pakistani ambassador, who waited for us but that we did not turn up. Sagheer Kamran replied that we did not have time and that we were very busy. I interrupted him and said that we are doing practically nothing in the Hotel Al-Kabeer and that I had asked Sagheer Kamran to go to the Pakistani Embassy but that he said that Yusuf Shakufah had strictly forbidden us from visiting the Pakistani Embassy. I took Professor Siddiqi out of the room and confided to him that those people were planning to kidnap me and that they had been threatening me. Professor Siddiqi said that he would tell the ambassador about the whole situation. Yusuf Shakufah and Sagheer Kamran kept on tormenting me mentally. The day I was to leave for Pakistan, Sagheer Kamran left with his belongings and Rahim for an unknown place. He told me that he would be at the airport at 6:00 pm and that he too wished to go back to Pakistan. But he did not come to the airport and

remained with Rahim at the Qasr Libiya Hotel for several days. Rahim is probably the chairman of the Lahore railway union. I had an argument with him, too. He said that he frequently visits Moscow and that he would send me there too so that I could establish relations with the Soviets. I told him that I hated the Soviets and that the center of my thinking was Madina and not Moscow or Washington. This person used to meet the Libyan minister of labor and Mr Shahhati and Sagheer Kamran accompanied him on these visits. He told the Libyan Government that he was a labor leader and that he needed 2.6 million rupees to set up a factory. He told them that he would employ in that factory people supporting the ideologies of Qadhdhafi and then a well-organized movement could be started against the Government of Pakistan. I rebuked this man for his scheme for raising money. Rahim, Shakufah and Sagheer did their best to defame my character in front of the higher Libyan authorities. Sagheer Kamran has been saying that very soon he is to be employed in the Libyan Embassy in London so that he can work for a defunct political party. Maqsud Jaffri, making a strong appeal to the Pakistani Government not to fall prey to the conspiracies of such selfseeking and ignorant people, said that the affairs of the Pak-Libya Brotherhood should be entrusted to moderate intellectuals and Sagheer Kamran should be punished for his misdeeds. He added that Yusuf Shakufah should be declared persona non grata and be expelled from Pakistan.

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